LIST OF PAPERS.

CORRESPONDENCE RELATING TO CHINA.

No.						Page
1.	Viscount Palmerston to Lord Napier (Chief Superintendent) - - - - - - Two Inclosures.	Foreign Office,	January	25,	1834	1
2.	Viscount Palmerston to Lord Napier - -	Foreign Office,	January	25,	——	4
3.	Viscount Palmerston to Lord Napier - -	Foreign Office,	January	25,	——	6
4.	Viscount Palmerston to Lord Napier - -	Foreign Office,	March	7,	——	6
5.	Viscount Palmerston to Lord Napier - -	Foreign Office,	March	8,	——	6
6.	Lord Napier to Viscount Palmerston - - One Inclosure.	Canton,	August	9,	——	7
7.	Lord Napier to Viscount Palmerston - - Five Inclosures.	Canton,	August	14/17,	——	11
8.	Lord Napier to Viscount Palmerston - - Two Inclosures.	Canton,	August	21,	——	22
9.	Mr. J. F. Davis (Second Superintendent) to Viscount Palmerston - - - - -	Canton,	August	7,	——	25
10.	The Duke of Wellington to Lord Napier -	Foreign Office,	February	2,	1835	26
11.	Lord Napier to Earl Grey - - - -	Canton,	August	21,	1834	26
12.	Lord Napier to Viscount Palmerston - - One Inclosure.	Canton,	August	27,	——	29
13.	Lord Napier to Viscount Palmerston - -	Canton,	August	28,	——	32
14.	Memorandum - - - - - - -	Foreign Office,	February		1840	32
15.	Mr. Astell (Secretary) to Mr. Backhouse -	Macao,	September	28,	1834	39
16.	Paper communicated by the East India Company - - - - - - - - -	Macao,	September	29,	——	41
17.	Mr. Astell to Mr. Backhouse - - -	Macao,	October	3,	——	43
18.	Mr. J. F. Davis (Chief Superintendent) to Viscount Palmerston - - - -	Macao,	October	12,	——	43
19.	Mr. J. F. Davis to Viscount Palmerston -	Macao,	October	28,	——	44
20.	Captain Elliot (Secretary) to Mr. Backhouse One Inclosure.	Macao,	November	1,	——	45
21.	Mr. J. F. Davis to Viscount Palmerston - Two Inclosures.	Macao,	November	2,	——	46
22.	Mr. J. F. Davis to Viscount Palmerston - One Inclosure.	Macao,	November	5,	——	48
23.	Memorandum by the Duke of Wellington -	Foreign Office,	March	24,	1835	51
24.	Mr. J. F. Davis to Viscount Palmerston - Three Inclosures.	Macao,	November	11,	1834	52
25.	Captain Elliot to Mr. Backhouse - - - One Inclosure.	Macao,	November	17,	——	58
26.	Mr. J. F. Davis to Viscount Palmerston - Two Inclosures.	Macao,	November	18,	——	61
27.	Petition to the King in Council - - -	Canton,	December	9,	——	68
28.	Minutes of Conversation between Howqua and Mowqua, Hong Merchants, and Mr. Jardine - - - - - - - - -	Canton,	September	14,	——	71
29.	Extracts from the "Records of Proceedings"	Macao,	December	6,	——	73
30.	Mr. J. F. Davis to Viscount Palmerston - Two Inclosures.	Macao,	January	2,	1835	76
31.	Mr. J. F. Davis to Viscount Palmerston -	Macao,	January	19,	——	78
32.	Extracts from the "Records of Proceedings"	Macao,	January	19,	——	80

No.						Page
33.	Sir G. B. Robinson (Chief Superintendent) to Viscount Palmerston - - - -	Macao,	January	24,	1835	81
34.	Sir G. B. Robinson to Viscount Palmerston	Macao,	February	3,	——	81
35.	Extracts from the "Records of Proceedings"	Macao,	January	29,	——	81
36.	Sir G. B. Robinson to the Governor General of India - - - - - - -	Macao,	February	21,	——	86
37.	Sir G. B. Robinson to Viscount Palmerston	Macao,	February	27,	——	86
38.	Sir. G. B. Robinson to Viscount Palmerston One Inclosure.	Macao,	March	30,	——	87
39.	Sir G. B. Robinson to Viscount Palmerston	Macao,	April	13,	——	94
40.	Sir G. B. Robinson to Viscount Palmerston	Macao,	July	1,	——	95
41.	Sir G. B. Robinson to the Duke of Wellington - - - - - - -	Macao,	July	26,	——	100
42.	Sir G. B. Robinson to Viscount Palmerston	Macao,	October	16,	——	100
43.	Sir G. B. Robinson to Viscount Palmerston	Macao;	November	11,	——	101
44.	Sir G. B. Robinson to Viscount Palmerston	Macao,	November	20,	——	102
45.	Sir G. B. Robinson to Viscount Palmerston One Inclosure.	Macao,	November	24,	——	104
46.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	December	1,	——	105
47.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	December	10,	——	106
48.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	December	10,	——	107
49.	Sir G. B. Robinson to Viscount Palmerston One Inclosure.	Lintin,	December	10,	——	108
50.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	January	5,	1836	110
51.	Sir G. B. Robinson to Viscount Palmerston One Inclosure.	Macao,	January	12,	——	110
52.	Viscount Palmerston to Sir G. B. Robinson	Foreign Office,	May	28,	——	111
53.	Viscount Palmerston to Sir G. B. Robinson	Foreign Office,	June	6,	——	111
54.	Sir G. B. Robinson to Viscount Palmerston	Macao,	January	16,	——	112
55.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	January	29,	——	113
56.	Viscount Palmerston to Sir G. B. Robinson	Foreign Office,	June	7,	——	113
57.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	January	29,	——	114
58.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	February	1,	——	118
59.	Viscount Palmerston to Sir G. B. Robinson	Foreign Office,	June	15,	——	119
60.	Viscount Palmerston to Captain Elliot -	Foreign Office,	June	15,	——	119
61.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	February	5,	——	119
62.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	February	8,	——	120
63.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	February	10,	——	121
64.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	February	27,	——	121
65.	Viscount Palmerston to Captain Elliot -	Foreign Office,	July	22,	——	121
66.	Viscount Palmerston to Captain Elliot -	Foreign Office,	July	22,	——	123
67.	The Hon. W. Fox Strangways to Cap. Elliot	Foreign Office,	September	14,	——	123
68.	Sir G. B. Robinson to Viscount Palmerston Three Inclosures.	Lintin,	March	1,	——	124
69.	Viscount Palmerston to Captain Elliot -	Foreign Office,	November	8,	——	126
70.	Viscount Palmerston to Captain Elliot -	Foreign Office,	November	8,	——	127
71.	Viscount Palmerston to Captain Elliot -	Foreign Office,	November	8,	——	128
72.	Viscount Palmerston to Captain Elliot -	Foreign Office,	November	8,	——	129
73.	Viscount Palmerston to Captain Elliot -	Foreign Office,	November	8,	——	130
74.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	April	18,	——	131
75.	Viscount Palmerston to Captain Elliot -	Foreign Office,	December	6,	——	132
76.	Sir G. B. Robinson to Viscount Palmerston Three Inclosures.	Macao,	May	10,	——	133
77.	Sir G. B. Robinson to Viscount Palmerston	Macao,	October	13,	——	135
78.	Sir G. B. Robinson to Viscount Palmerston	Lintin,	November	28,	——	135
79.	Sir G. B. Robinson to Viscount Palmerston	Macao,	December	14,	——	136
80.	Captain Elliot to Viscount Palmerston -	Macao,	January	25,	——	136
81.	Captain Elliot to the Foreign Office -	Macao,	March	14,	——	136
82.	Captain Elliot to the Foreign Office -	Macao,	July	27,	——	137
83.	Captain Elliot to the Foreign Office -	Macao,	October	10,	——	138
84.	Captain Elliot (Chief Superintendent,) to Viscount Palmesston - - - -	Macao,	December	14,	——	139

Digitized with financial assistance from
Shri Brihad Bhartiya Samaj
on 31 October, 2019

No.						Page
85.	Captain Elliot to Viscount Palmerston Eight Inclosures.	Macao,	December	30,	1836	139
86.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	December	31,	——	146
87.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	January	12,	1837	148
88.	Viscount Palmerston to Captain Elliot	Foreign Office,	June	12,	——	149
89.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	January	27,	——	149
90.	Captain Elliot to Viscount Palmerston Eight Inclosures.	Macao,	February	2,	——	153
91.	Captain Elliot to Viscount Palmerston Three Inclosures.	Macao,	February	7,	——	181
92.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	February	10,	——	188
93.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	February	21,	——	189
94.	Viscount Palmerston to Captain Elliot	Foreign Office,	November	2,	——	192
95.	Viscount Palmerston to Captain Elliot One Inclosure.	Foreign Office,	November	2,	——	192
96.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	March	18,	——	194
97.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	March	22,	——	195
98.	Captain Elliot to Viscount Palmerston	Macao,	March	29,	——	197
99.	Captain Elliot to Viscount Palmerston	Macao,	April	1,	——	198
100.	Captain Elliot to Viscount Palmerston Seven Inclosures.	Canton,	April	27,	——	200
101.	Captain Elliot to Viscount Palmerston One Inclosure.	Canton,	May	24,	——	208
102.	Captain Elliot to John Backhouse, Esq. Two Inclosures.	Canton,	June	2,	——	209
103.	Captain Elliot to John Backhouse, Esq. Four Inclosures and Three Sub-Inclosures.	Macao,	July	3,	——	211
104.	Captain Elliot to Viscount Palmerston	Macao,	July	5,	——	216
105.	Captain Elliot to Viscount Palmerston	Macao,	July	5,	——	216
106.	Captain Elliot to Viscount Palmerston	Macao,	August	29,	——	217
107.	Captain Elliot to Viscount Palmerston Three Inclosures.	Macao,	September	4,	——	217
108.	Captain Elliot to Viscount Palmerston	Canton,	September	26,	——	233
109.	Captain Elliot to Viscount Palmerston Five Inclosures.	Canton,	November	18,	——	235
110.	Captnin Elliot to Viscount Palmerston One Inclosure.	Canton,	November	19,	——	243
111.	Captain Elliot to Viscount Palmerston Four Inclosures.	Canton,	November	29,	——	247
112.	Captain Elliot to Viscount Palmerston	Macao,	December	4,	——	251
113.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	December	7,	——	252
114.	Captain Elliot to the Foreign Office	Macao,	January	18,	1838	255
115.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	February	5,	——	255
116.	Viscount Palmerston to Captain Elliot	Foreign Office,	June	15,	——	260
117.	Captain Elliot to Viscount Palmerston Five Inclosures.	Macao,	March	29,	——	261
118.	Captain Elliot to Viscount Palmerston	Macao,	April	2,	——	293
119.	Captain Elliot to Viscount Palmerston Five Inclosures.	Macao,	April	18,	——	296
120.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	April	20,	——	301
121.	Captain Elliot to Viscount Palmerston Four Inclosures.	Macao,	April	28,	——	303
122.	Captain Elliot to John Backhouse, Esq. One Inclosure.	Macao,	April	30,	——	309
123.	Captain Elliot to Viscount Palmerston	Macao,	May	31,	——	310

No.						Page
124.	Captain Elliot to Viscount Palmerston	Macao,	August	7,	1838	310
125.	Captain Elliot to Viscount Palmerston Ten Inclosures.	Macao,	August	10,	——	311
126.	Viscount Palmerston to Captain Elliot	Foreign Office,	February	27,	1839	319
127.	Viscount Palmerston to Captain Elliot	Foreign Office,	March	23,	——	319
128.	Viscount Palmerston to Captain Elliot	Foreign Office,	March	23,	——	320
129.	Viscount Palmerston to Captain Elliot	Foreign Office,	March	30,	——	320
130.	Viscount Palmerston to Captain Elliot	Foreign Office,	June	13,	——	321
131.	Captain Elliot to Viscount Palmerston Three Inclosures.	Macao,	October	13,	1838	321
132.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	December	2,	——	323
133.	Captain Elliot to Viscount Palmerston	Whampoa,	December	8,	——	325
134.	Captain Elliot to Viscount Palmerston	Canton,	December	13,	——	326
135.	Viscount Palmerston to Captain Elliot	Foreign Office,	April	15,	1839	327
136.	Captain Elliot to Viscount Palmerston	Canton,	December	31,	1838	327
137.	Captain Elliot to Viscount Palmerston Fourteen Inclosures.	Canton,	January	2,	1839	328
138.	Captain Elliot to Viscount Palmerston	Canton,	January	2,	——	341
139.	Captain Elliot to Viscount Palmerston	Macao,	January	8,	——	342
140.	Captain Elliot to Viscount Palmerston	Macao,	January	21,	——	344
141.	Captain Elliot to Viscount Palmerston	Canton,	January	30,	——	344
142.	Viscount Palmerston to Captain Elliot	Foreign Office,	June	13,	——	346
143.	Captain Elliot to Viscount Palmerston One Inclosure.	Canton,	February	8,	——	346
144.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	February	21,	——	350
145.	Captain Elliot to Viscount Palmerston Two Inclosures.	Macao,	March	22,	——	351
146.	Captain Elliot to Viscount Palmerston Thirty Inclosures.	Canton,	March	30,	——	357
147.	Captain Elliot to Viscount Palmerston	Canton,	April	3,	——	386
148.	Captain Elliot to Viscount Palmerston Fifteen Inclosures.	Canton,	April	6,	——	387
149.	Captain Elliot to Viscount Palmerston Three Inclosures.	Canton,	May	6,	——	407
150.	Captain Elliot to Viscount Palmerston Eight Inclosures.	Canton,	May	18,	——	411
151.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	May	29,	——	420
152.	Captain Elliot to Viscount Palmerston Eight Inclosures.	Macao,	June	14,	——	422
153.	Captain Elliot to Viscount Palmerston Five Inclosures.	Macao,	July	8,	——	429
154.	Captain Elliot to Viscount Palmerston One Inclosure.	Macao,	July	18,	——	433
155.	Captain Elliot to Viscount Palmerston Thirteen Inclosures.	Hong Kong,	August	27,	——	435
156.	Captain Elliot to Viscount Palmerston Three Inclosures.	Hong Kong,	September	3,	——	444
157.	Captain Elliot to Viscount Palmerston Five Inclosures.	Hong Kong,	September	5,	——	448
158.	Captain Elliot to Viscount Palmerston One Inclosure.	Hong Kong,	September	8,	——	452
159.	Captain Elliot to Viscount Palmerston Six Inclosures.	Hong Kong,	September	23,	——	456

ADDITIONAL CORRESPONDENCE RELATING TO CHINA.

No.					Page
1.	Captain Elliot to Viscount Palmerston - One Inclosure and six Sub-Inclosures.	Macao,	October 21,	1839	461
2.	Captain Elliot to Viscount Palmerston - Six Inclosures.	Hong-Kong,	November 5,	——	466

ADDITIONAL PAPERS RELATING TO CHINA.

1.	Orders in Council - - - - -	Brighton,	December 9,	1833	473
2.	Captain Elliot to John Backhouse, Esq. - Three Inclosures.	Macao,	July 3,	1839	477
3.	Captain Elliot to Viscount Palmerston - Four Inclosures.	Hong Kong,	September 30,	——	479

ADDITIONAL PAPERS RELATING TO CHINA.

1.	Captain Elliot to Viscount Palmerston - Thirty Inclosures.	Tongkoo,	November 16,	1839	485
2.	Captain Elliot to Viscount Palmerston - Two Inclosures.	Tongkoo,	November 17,	——	519
3.	Captain Elliot to Viscount Palmerston - Four Inclosures.	Tongkoo,	November 17,	——	521
4.	Captain Elliot to Viscount Palmerston -	Tongkoo,	November 28,	——	525
5.	Captain Elliot to Viscount Palmerston - Two Inclosures.	Tongkoo,	December 6,	——	527

PAPERS RELATING TO CHINA.

Extract from the "Records of Proceedings" of Superintendents in China - - - 535

Copies of Correspondence between Her Majesty's Government and the East India Company, showing the Arrangement entered into with the East India Company for paying the Expense of Armament now preparing in India for Service in China - - - 537

CORRESPONDENCE

RELATING TO

CHINA.

No. 1.

Viscount Palmerston to Lord Napier.

Extract. *Foreign Office, January* 25, 1834.

I HEREWITH transmit to your Lordship a Commission under the Royal Signet and Sign Manual, appointing your Lordship, together with William Henry Chicheley Plowden, Esq., and John Francis Davis, Esq., to be "Superintendents of the Trade of British Subjects in China."

I also transmit to your Lordship His Majesty's general instructions under the Sign Manual, for the guidance of your Lordship and of your colleagues, in the discharge of the duties of the situations above mentioned.

Inclosure 1 in No. 1.

Extract from the Royal Commission appointing Lord Napier, Mr. Plowden, and Mr. Davis, to be "Superintendents of the Trade of British Subjects in China."

Extract. *December* 10, 1833.

AND in the event of the death of any or any one of you, the said William John Lord Napier, William Henry Chicheley Plowden, and John Francis Davis, while in the execution of this Our Commission, or of the incapacity, absence from the limits to which such Commission extends, or removal from office of any or any one of you, We do hereby declare Our pleasure to be, and We do direct and appoint, that the vacancy so created in the said Commission shall be supplied on the spot provisionally, and until Our pleasure can be known, in such manner and according to such rules as are, or shall be, in that behalf prescribed in such general or further instructions as aforesaid.

* * * * * * *

And We do hereby straightly charge and require you, that, in the execution of this your Commission, you do conform to and observe all such rules and regulations as are or shall be given to you for your guidance, either in the general instructions under Our Signet and Sign Manual, accompanying this your Commission, or in such further instructions as shall from time to time be given to you under Our Signet and Sign Manual, or in Our Privy Council, or by Us through one of Our Principal Secretaries of State.

Inclosure 2 in No. 1.

Extract from the Royal Sign Manual Instructions to the Superintendents of Trade in China.

Extract. *December* 31, 1833.

1. WITH these Our instructions, you will receive a Commission under Our Signet and Sign Manual, constituting and appointing you to be Superintendents of the trade of Our subjects to and from the dominions of the Emperor of China; together with an Order made by Us with the advice of Our Privy Council, for regulating the said trade, and for the government of our subjects within the said dominions; together with a certain other Order made by Us with the advice aforesaid, creating a Court of Justice for the purposes therein mentioned; together also with a certain other Order also made by Us with the advice aforesaid, imposing duties upon the ships and goods of Our subjects trading to China, for the purposes therein mentioned: —which several Instruments have by Us been issued in pursuance, and in exercise of the powers in Us vested by a certain Act of Parliament made and passed in the Third and Fourth year of Our Reign [cap. 93,] intituled "An Act to regulate the trade to China and India."

2. In execution of the said Commission, you will take up your residence at the Port of Canton, in the dominions of the Emperor of China; and you will discharge the several duties confided to you by the said Commission and Orders in Council respectively, at Canton aforesaid, or at any other place within the river or port of Canton, or at any other place which may for that purpose be hereafter appointed by Us, and not elsewhere.

4. And whereas, &c. [here is recited the first one of the two clauses extracted from the Royal Commission; it then proceeds]. Now We do direct and appoint that if any such vacancy should so be created, by the death, resignation, or incapacity, absence or removal, of you, the said William John Lord Napier, the Chief Superintendent, or of the Chief Superintendent for the time being, the same shall be supplied provisionally by you, the said William Henry Chicheley Plowden, Esquire, the Second Superintendent, or by the Second Superintendent for the time being: [and so on, providing, in order of succession, for supplying, provisionally, vacancies in the offices of the Second and Third Superintendents; the vacancy of the Third Superintendent, for the time being, to be] "supplied provisionally by the Secretary to the Superintendents for the time being." [In the event of either Mr. Plowden or Mr. Davis being absent from China, on the arrival there of Lord Napier, or of their declining to accept the offices of Second or Third Superintendent, respectively,—in such contingency, the Secretary for the time being was not to enter upon or succeed to the vacant office,—but such office or offices, as the case might be, should be held provisionally (and until the Royal pleasure shonld be made known) by any such person or persons as should for that purpose be selected by Lord Napier, from amongst such of the servants of the East India Company as might be resident at Canton on the arrival of the Commission at that place]. And the persons so to be selected by you, the said William John Lord Napier, shall, by you, be appointed to such office or offices, by an instrument or instruments to be by you, for that purpose, executed under your hand and seal: and every person so by you, the said William John Lord Napier, appointed to be such Second Superintendent or Third Superintendent, as aforesaid, upon any such contingency as aforesaid, shall, until further or other provision be made by Us in the premises, have, exercise, and enjoy all such and the same rights, powers and authorities, as if he or they had been appointed by Us, by name, in and by the said Commission.

16. And We do further declare Our pleasure to be, that one of you, the said Superintendents, shall be specially charged with the duty of ascertaining by all practicable ways and means, and with the utmost attainable precision, the state of the trade carried on between our subjects, or the subjects of any other foreign power, with the inhabitants of China; and especially the number of the vessels annually arriving from Our United Kingdom, and from Our several possessions abroad, and from the territories under the Government of the said Company in India, and from all other foreign States; and the tonnage of such vessels, and the number of the persons on board of them as mariners or passengers; and the amount

amount and nature, and value of the goods from time to time imported in such several vessels into China; and of the goods exported thence in such vessels, together with the prices current at the port of Canton, of such imports and exports; together with all material facts, illustrative of the course and nature of the said trade; and of the difficulties by which the same may be impeded; and of the means which may be taken for the extension, or support thereof; together with such information as can be collected, respecting the cultivation of tea, and of other articles of export from China; and of the amount of the duties there paid upon the importation and exportation of different goods; and respecting the effect of any such duties, or of the duties levied under such Order in Council* as aforesaid, upon the course of the said trade; with all other statistical information which may tend to illustrate or explain the interests of our subjects, and of the subjects or citizens of other foreign nations, as connected with the commercial intercourse subsisting between them and the Chinese Empire. And We do direct that all such information as aforesaid, shall be exhibited in the form of Tables; which Tables shall be transmitted once in each year to Our Principal Secretary of State for Foreign Affairs.

17. And in the discharge of your duties as such Superintendents, as aforesaid, We do require and enjoin you to watch over and protect the interests of Our subjects resident at, or resorting to, the Empire of China for the purposes of trade; and to afford to them all such advice, information, and assistance, as it may be in your power to give, with a view to the safe and successful conduct of their commercial transactions; and, to the utmost of your ability, to protect them in the peaceable prosecution of all lawful enterprises in which they may be engaged in China; and, by the exertion of your utmost influence and authority, to adjust by arbitration, or persuasion, all disputes in which any of Our subjects may be there engaged with each other, or with the inhabitants of China, or with the subjects or citizens of any Foreign State; and to mediate between Our said subjects and the officers of the Chinese Government, in order to protect Our subjects aforesaid from all unlawful exactions or hinderances, in the prosecution of their commercial undertakings.

18. And it is Our further pleasure, that, so often as it may be necessary for you, in conducting any such mediation as aforesaid, to prefer any complaint or remonstrance to the officers of the Government of China, you do observe all possible moderation; and do cautiously abstain from all unnecessary use of menacing language; or from making any appeal for protection to Our military or naval forces, unless, in any extreme case, the most evident necessity shall require that any such menacing language should be holden, or that any such appeal should be made. And We do further command and require you, in the general discharge of your duties as such Superintendents, to abstain from and avoid all such conduct, language, and demeanour, as might needlessly excite jealousy or distrust amongst the inhabitants of China, or the officers of the Chinese Government; or as might unnecessarily irritate the feelings, or revolt the opinions or prejudices of the Chinese people or Government; and that you do study by all practicable methods to maintain a good and friendly understanding, both with the officers, civil and military, and with the inhabitants of China, with whom you may be brought into intercourse or communication.

19. And We do require you constantly to bear in mind and to impress, as occasion may offer, upon Our subjects resident in, or resorting to China, the duty of conforming to the laws and usages of the Chinese Empire, so long as such laws shall be administered towards you and them with justice and good faith; and in the same manner in which the same are or shall be administered towards the subjects of China, or towards the subjects or citizens of other foreign nations resident in, or resorting to China.

20. And We do further enjoin and require you to transmit to the Governor General of the territories under the Government of the East India Company in India, duplicate copies, for his information, of all despatches which may by you be addressed to Our Principal Secretary of State for Foreign Affairs, with copies of all despatches which you may receive from Our said Secretary of State.

* This Order in Council, dated December 9, 1833, was rescinded by Order in Council, dated March 5, 1834.

State. And if, on any occasion, you should see cause to address despatches directly to the said Governor General, We do further direct you to communicate to Our Secretary of State, aforesaid, full copies thereof, and of all despatches which you may receive from the Governor General. All which copies it is Our pleasure that you do transmit, as aforesaid, by the first convenient opportunity.

21. And we do further declare Our pleasure to be, that neither you, the said Superintendents, nor any person who may hereafter be a Superintendent, under the said Commission, nor the Secretary to the said Commission for the time being, nor any other subordinate officer employed by you, or by the Superintendents for the time being, in the discharge of the duties confided to you, shall engage in trade in China aforesaid; or act as the factor, broker, or agent, for any person or persons engaged in such trade, or pain of the forfeiture by you, or such Secretary or other officer, as aforesaid, of the office so by you or him holden.

No. 2.

Viscount Palmerston to Lord Napier.

My Lord, *Foreign Office, January* 25, 1834.

YOUR Lordship's Instructions, under the Royal Sign Manual, contain all that is essentially necessary for your guidance, in the general conduct of the superintendence entrusted to your charge. But there still remain some particular points, upon which I am commanded by His Majesty to convey to you, for your information and guidance, the further instructions which you will find in this despatch, and in my others of the same date.

Your Lordship will announce your arrival at Canton by letter to the Viceroy.

In addition to the duty of protecting and fostering the trade of His Majesty's subjects with the port of Canton, it will be one of your principal objects to ascertain, whether it may not be practicable to extend that trade to other parts of the Chinese dominions. And for this end you will omit no favourable opportunity of encouraging any disposition which you may discover in the Chinese authorities, to enter into commercial relations with His Majesty's Government. It is obvious that, with a view to the attainment of this object, the establishment of direct communications with the Imperial Court at Pekin would be desirable; and you will accordingly direct your attention to discover the best means of preparing the way for such communications: bearing constantly in mind, however, that peculiar caution and circumspection will be indispensable on this point, lest you should awaken the fears, or offend the prejudices, of the Chinese Government; and thus put to hazard even the existing opportunities of intercourse, by a precipitate attempt to extend them. In conformity with this caution, you will abstain from entering into any new relations or negotiations with the Chinese authorities, except under very urgent and unforeseen circumstances. But if any opportunity for such negotiations should appear to you to present itself, you will lose no time in reporting the circumstance to His Majesty's Government, and in asking for instructions; but, previously to the receipt of such instructions, you will adopt no proceedings but such as may have a general tendency to convince the Chinese authorities of the sincere desire of the King to cultivate the most friendly relations with the Emperor of China, and to join with Him in any measures likely to promote the happiness and prosperity of their respective subjects. I have to add, that I do not at present foresee any case in which it could be advisable that you should leave Canton to visit Pekin, or any other parts of China, without having previously obtained the approbation of His Majesty's Government.

Observing the same prudence and caution which I have inculcated above, you will avail yourself of every opportunity which may present itself, for ascertaining whether it may not be possible to establish commercial intercourse with Japan, and with any other of the neighbouring countries: and

and you will report to this Department, from time to time, the results of your observation and inquiries.

It is understood that a survey of the Chinese coast is much required; and your attention should, therefore, be directed to this subject, with a view to ascertain the best means, and the probable expense of such an undertaking; and you will have the goodness to transmit to me an early and full report of your opinion thereupon. But you will not take any steps for commencing such a survey, till you receive an authority from hence to do so. Your attention should also be directed to the inquiry, whether there be any, and what, places at which ships might find requisite protection in the event of hostilities in the China Seas. Upon these points, I recommend to your attentive consideration the inclosed observations of Captain Horsburgh, the correctness of which your Lordship will make it your duty to investigate.

Peculiar caution will be necessary on the part of the Superintendents, with regard to such ships as may attempt to explore the coast of China for purposes of traffic. It is not desirable that you should encourage such adventures; but you must never lose sight of the fact, that you have no authority to interfere with, or to prevent, them.

It is generally considered, that the Bocca Tigris, which is marked by a fort immediately above Anson's Bay, forms the limit of the Port of Canton*; and as this appears to be the understanding of the Chinese authorities themselves, a notification to that effect has been made to the merchants in this country. Your Lordship will, accordingly, conform to that understanding.

The Master Attendant will have charge of all British ships and crews within the Bocca Tigris.

Your Lordship is aware, that the Chinese authorities have invariably made a marked distinction between ships of war and merchantmen in regard to the privilege of intercourse. It is contrary to their regulations, that ships of war should enter that part of the river which lies above the Bocca Fort; and you will, therefore, take care to apprize the commanders of British ships of war, of the desire of His Majesty's Government that these regulations should be strictly observed; and that no British ship of war should pass the Bocca Tigris, unless an extraordinary occasion should require it to do so. This prohibition extends, of course, to the frigate which is to convey your Lordship to your destination; and you will, moreover, understand that such frigate is not to remain in the Canton river.

With respect to questions of law, the Order in Council appears to give you ample instructions; but I have to apprize your Lordship, that, although it has been deemed advisable at once to constitute a Court of Justice, yet it is His Majesty's pleasure that you should not, unless in case of absolute necessity, commence any proceedings under such Order in Council until you have taken the whole subject into your most serious consideration. And you will, in the mean while, fully report to me, for the information of His Majesty's Government, the result of your deliberations upon this most important branch of your duties.

It may hardly be necessary for me to add, that, if you should be compelled to have recourse to the unpleasant duty of ordering the arrest of any British subject for irregularity of conduct, you will take care to issue for that purpose a formal warrant under your hand and seal.

I have, &c.
(Signed) PALMERSTON.

---

* By an Instruction to Sir G. B. Robinson, dated May 28, 1836, the limits of the jurisdiction of the Superintendents were extended, so as to include Lintin and Macao.

No. 3.

Viscount Palmerston to Lord Napier.

Extract.. *Foreign Office, January* 25, 1834.

YOUR Lordship is aware that the gentlemen whom His Majesty has been pleased to associate with you in your Commission, are the senior Supracargoes of the East India Company's service. It is possible that Mr. Plowden and Mr. Davis may decline the office thus conferred upon them; but in such case, as it is considered desirable that you should be assisted by officers having had experience in China, it is the intention of His Majesty's Government that the office or offices so declined, as well as the office of Secretary, shall be offered to other gentlemen of the Company's factory, in the manner which will be pointed out to you in a separate instruction. The officers however, who, under the circumstances supposed, may accept the situations which you may offer to them, must understand that those situations are only conferred upon them provisionally, and until His Majesty's pleasure can be taken.

No. 4.

Viscount Palmerston to Lord Napier.

Extract. *Foreign Office, March* 7, 1834.

I HAVE to inform your Lordship that it has been deemed expedient, with a view to the advantage of the mercantile community, that His Majesty's Order in Council dated the 9th of December, 1833, imposing certain duties upon the tonnage and goods of His Majesty's subjects trading to the Port of Canton, for the support of the establishment of the Superintendents at that port, should be revoked; and the necessary steps are accordingly now in progress for rescinding the said Order in Council.

No. 5.

Viscount Palmerston to Lord Napier.

My Lord, *Foreign Office, March* 8, 1834.

WITH reference to my despatch, I herewith inclose for your information and guidance, a copy of the Order of His Majesty in Council, bearing date the 5th instant, revoking the previous Order in Council of the 9th of December, 1833, whereby certain duties were imposed on British ships, and goods on board thereof, trading to the Port of Canton.

I have, &c.
(Signed) PALMERSTON.

No. 6.

Lord Napier to Viscount Palmerston.—(*Received January* 31, 1835.)

My Lord, *Canton, August* 9, 1834.

I HAVE the honour to acquaint your Lordship of the arrival of His Majesty's ship *Andromache*, in Macao Roads, on the 15th of July last; from whence I landed, on the afternoon of the same day, at the city of Macao, under a salute from the Portuguese forts.

Here I had the pleasure of finding the Select Committee and Supracargoes of the late Establishment of the Honourable the East India Company, to whom I communicated the contents of His Majesty's Commission, and the other documents supplied to me by His Majesty's Government.

On the 17th, I received a communication from John Francis Davis, Esq., in the absence of Mr. Plowden, accepting the situation of Second Superintendent, from Sir G. Best Robinson, Bart., accepting the situation of Third Superintendent, and from John Harvey Astell, Esq., that of Secretary to the Superintendents, according to the terms of His Majesty's Commission and General Instructions.

On the 19th, Commissions were granted by the Superintendents to Mr. Astell, as Secretary and Treasurer,—to the Rev. Dr. Morrison, as Chinese Secretary and Interpreter,—to Captain C. Elliot, R.N., as Master Attendant,—Mr. Colledge, as Surgeon,—and Mr. Anderson, as Assistant Surgeon, according to His Majesty's Instruction No. 3.

The Superintendents being so constituted with their Assistants, copies of Instructions from His Majesty's Government were supplied to each, and duly read over and discussed: after which I laid before the meeting a letter from the Right Honourable Charles Grant, of the date of London, 18th February, acquainting me that His Majesty's Government had resolved to relinquish the duties on goods and tonnage, and that the expense of the establishment would be borne, one-third by India, and two-thirds by Great Britain. It may be here agreeable to state, that several vessels having sailed from the river of Canton to England, between the 22nd April and the date hereof, with cargoes of tea, notice had been received from the merchants of their willingness to pay up the duties if required so to to. In consequence of Mr. Grant's letter, the Superintendents were unanimously of opinion, that it was no longer necessary to carry into effect any steps for the recovery of the same.

A letter was this day addressed to Captain Chads, of His Majesty's ship *Andromache*, requesting him to send the usual surveying officers on board the cutter belonging to the Honourable the East India Company, to meet there competent persons to be appointed by the agents of the Company, to make a survey of the hull, rigging, equipment, and spare stores of the said cutter, with the view of purchasing her for the use of His Majesty's Government; copy of which report made by the King's officers, and that by the servants of the East India Company, will be found in the copy of proceedings herewith annexed.

On the 23rd, the Superintendents embarked on board of His Majesty's ship *Andromache*, and proceeded to the anchorage at Chuen-pee, below the forts at the Bocca Tigris, where she anchored at midnight: next morning, a Chinese war junk weighed, and came to an anchor near His Majesty's ship, firing a salute of three guns, which was returned by an equal number.

At noon, the Superintendents left His Majesty's ship under a salute of 13 guns, and proceeded on board the cutter on their way to Canton, where they arrived at 2 o'clock on the morning of the 25th.

On the 26th, a copy of the King's Commission to the Superintendents was supplied to the editor of the Canton Register, to be printed and circulated by him as a notification to the trade in general.

In obedience to His Majesty's commands, conveyed to me by your Lordship, of the date of the 25th January last, desiring me to announce my arrival at Canton by letter to the Viceroy, a letter, a copy of which is inclosed, was addressed to his Excellency the Viceroy, which, being rendered into Chinese by the Rev. Dr. Morrison, the Chinese Secretary and Interpreter, was carried to the City gates by Mr. Astell, accompanied by a deputation of gentlemen from the establishment.

It may be here stated, that during the interval employed in translating my letter, the Hong merchants, Howqua and Mowqua, arrived with the copy of an Edict, addressed by the Viceroy to themselves, for the purpose of being enjoined on the Superintendents by their body. Long experience having already proved to the servants of the East India Company the utter futility of such a medium of communication, and the compliance therewith only tending to degrade His Majesty's Commission and the British public in general, in the estimation of the Chinese people, and to render the exertions of the Superintendents to perform their various duties altogether ineffectual, the Hong merchants were courteously dismissed with an intimation, "That I would communicate immediately with the Viceroy in the manner befitting His Majesty's Commission and the honour of the British nation."

Mr. Astell was, therefore, instructed to deliver my letter to a Mandarin, and to avoid any communication through the Hong merchants, which might afterwards be represented as an official communication and a precedent on all other occasions.

On the arrival of the party at the City gates, the soldier on guard was dispatched to report the circumstance to his superior. In less than a quarter of an hour a Mandarin of inferior rank appeared; whereupon Mr. Astell offered my letter for transmission to the Viceroy, which duty this officer declined; adding, that his superior was on his way to the spot.

In the course of an hour several Mandarins, of nearly equal rank, arrived in succession; each refusing to deliver the letter, on the plea that "higher officers would shortly attend."

After an hour's delay, during which time the party were treated with much indignity, not unusual on such occasions, the Linguists and Hong merchants arrived, who entreated to become the bearers of the letter to the Viceroy.

About this time a Mandarin, of rank higher than any of those who had preceded him, joined the party, to whom the letter was in due form offered; and as formally refused.

The Mandarins having seen the superscription on the letter, argued, "that as it came from the Superintendent of Trade the Hong merchants were the proper channel of communication;" but this obstacle appeared of minor importance in their eyes, upon ascertaining that the document was styled a *Letter* and not a *Petition*.

The Linguists requested to be allowed a copy of the address, which was of course refused.

About this time the Kwang-Heep, a military officer of considerable rank, accompanied by an officer, a little inferior to himself, arrived on the spot; to whom the letter was offered three several times, and as often refused. The senior Hong merchant, Howqua, after a private conversation with the Kwang-Heep, requested to be allowed to carry the letter in company with the Kwang-Heep, and ascertain whether it would be received.

This being considered as an insidious attempt to circumvent the directions of the Superintendents, a negative was made to this and other overtures of a similar tendency.

Suddenly all the Mandarins took their departure, for the purpose, as it was afterwards ascertained, of consulting with the Viceroy.

Nearly three hours having been thus lost within the city, Mr. Astell determined to wait a reasonable time for the return of the Mandarins, who shortly afterwards re-assembled; whereupon Mr. Astell respectfully offered the letter in question three separate times to the Kwang-Heep, and afterwards to the other Mandarins, all of whom distinctly refused even to touch it; upon which Mr. Astell and his party returned to the factory.

Next

Next day, the 27th, the Hong merchants waited in a body on the Superintendents; and after a long desultory conversation, marked on their part by cunning and duplicity, Howqua at length proposed that a new address should be affixed to my letter; in the first place, substituting the word *Petition* for that of *Letter*; and, secondly, making a trifling alteration in the designation of the Viceroy: the first of these was of course firmly rejected; the second, being a matter of courtesy, was willingly complied with; and Howqua having dictated a copy of the same for the approval of the Viceroy, took his departure with a promise of returning next day with a reply.

On the morning of the 28th, a ticket was addressed to me by Howqua, announcing his intention of coming to me at one o'clock. It may be here proper to state, that, although Howqua had already seen the Chinese character used by Dr. Morrison, to represent my name, on this occasion he was pleased to use another one, not of the most courtly description, expressing and signifying the sense of "Laboriously Vile." On being requested to explain the reason for such a gratuitous insult, being already in possession of my name, he artfully avoided all explanation beyond the fact of his having been "so instructed by the pilot."

At the appointed hour, the Hong merchants arrived; and Howqua alone being admitted stated that my letter would not be received, unless it was superscribed as a *Petition*. This being refused, Howqua was dismissed accordingly.

It may also be here remarked, as evidence of the hostile disposition of the Government, that every petty annoyance has been offered since the arrival of His Majesty's Commission in Canton; such as wantonly breaking open my baggage-chests by the officers of the Custom-House, while the keys were within their reach, a circumstance hitherto unprecedented; by recalling the Chinese boat-men employed by the Europeans on the river; and by intimidating the compradores, or purveyors, belonging to the agents of the East India Company, so as to cause them to desert the service.

On the 31st, Howqua and Mowqua waited on the Superintendents, to deliver the copy of an Order, transmitted through their body, to be enjoined by them on the Superintendents for their observance; which was of course refused. Howqua then asked the nature of my instructions; on which he was informed, "that whenever the Viceroy was pleased to receive my letter, he would be made fully aware of the contents thereof."

I had no further communication with the Hong merchants until the 8th instant, when Howqua and Mowqua paid a visit to the Superintendents, the pretended object of which was to endeavour to persuade me to return to Macao, as being the more agreeable residence during the hot weather.

It may be here proper to explain to your Lordship, that, from private information on which I have the most perfect reliance, I am assured that up to this date no report, even of my expected arrival, or of the change of circumstances connected with the trade, has ever been forwarded by the Viceroy to the Court at Pekin. At the same time, I have reason to believe that the Emperor has been partially made acquainted with the circumstance through other channels.

The Viceroy, thus finding himself in a dilemma, on hearing of my arrival at Macao, dispatched Howqua and Mowqua thither by the inner channel (a branch of the river) with an order to prevent my proceeding to Canton.

Previously to their arrival we had embarked in the *Andromache*, as before stated; on which the Hong merchants returned with all expedition to Canton.

The Viceroy then dispatched the Kwang-Heep, or Military Aide-de-Camp, by the river, to meet us on our progress, with the view of inducing me to return to Macao. This message also miscarried like the former.

The Viceroy, continuing to refuse the acceptance of my letter, is thus at a loss for information on the nature and object of my instructions; and consequently has not the means of making his report to the Emperor: thus is he desirous of persuading me to return to Macao, in order that, when once there, he may have an opportunity of recommencing the ceremony of arriving and reporting, or perhaps of issuing an order to me to remain there altogether.

Having so far the advantage, it shall be my duty to hold on for the purpose of forcing him in time to receive my *Letter*, and not my *Petition*; to which he must yield before he can transmit an authentic official report to his own Government: although perhaps he may be enabled to supply the deficiency to a certain extent, from information gathered by his emissaries among the British merchants.

My great object is to open and maintain a direct personal communication with the Viceroy; so that I may be enabled to get redress from him in all commercial grievances connected with the Hong merchants, or on criminal proceedings connected with the duties of the Kwang-Chow-Foo, or Criminal Judge, instead of leaving myself at the mercy of those Hong merchants who, in fact, exercise no official powers whatever, and can never be depended upon for the transmission of complaints to the different heads of departments when circumstances require.

I have reason to believe that His Majesty's subjects here have several causes of complaint. I forbear to trouble your Lordship with these at present, as long as a chance exists, within a moderate time, of laying the same before the Viceroy, for his consideration and redress. In the meantime, I shall endeavour to maintain harmony between all parties.

There are some other points connected with the medical establishment; the more efficient duties of the Master-Attendant; improvement of the navigation, by completing the survey of the China seas; and the accommodation eventually to be occupied by the Superintendents and their Assistants, which, on further experience, I shall have the honour of reporting to your Lordship in a more specific manner than I am yet prepared to do.

Having now clearly explained to your Lordship the position in which I stand, in respect to the Viceroy, up to the date hereof, (9th August, 1834), I beg to acquaint your Lordship that all these measures have received the full concurrence and support of my two colleagues.

Endeavouring also always to bear in mind the nature and spirit of His Majesty's instructions, regulating my conduct towards the Chinese authorities, and enjoining respect to the laws of the Empire, I conceive, in adopting the line so approved, and which has given entire satisfaction to His Majesty's faithful subjects at this port, that I have, in fact, adhered most strictly to those instructions, without compromising the honour of His Majesty's Commission, and without relinquishing that right or practice which has been so often exercised in times past by the President of the Select Committee, of enjoying direct communication with the Viceroy, whenever circumstances might render such communication necessary or desirable.

I have, &c.,
(signed) NAPIER,
Chief Superintendent.

Inclosure in No. 6.

Lord Napier to the Governor of Canton.

IN pursuance of orders from my most gracious Sovereign, William IV., King of Great Britain and Ireland, I have the honour of notifying to your Excellency my arrival at the city of Canton, bearing a Royal Commission constituting and appointing me Chief Superintendent of British Trade to the dominions of His Imperial Majesty the Emperor of China. By this Commission are associated with me, John Francis Davis, Esq., and Sir George Best Robinson, Bart., late of the Honourable East India Company's Factory at this place.

The object of the said Royal Commission is to empower us, His Majesty's Superintendents, to protect and promote the British trade, which, from the boundless extent of His Majesty's dominions, will bear the traffic of the four

quarters

quarters of the world to the shores of the Emperor of China,—the exclusive privileges and trade hitherto enjoyed by the Honourable East India Company of merchants having ceased and determined, by the will and power of His Majesty the King and the Parliament of Great Britain.

I have also the honour of acquainting your Excellency, that His Majesty, my most gracious Sovereign, has been pleased to invest me with powers, political and judicial, to be exercised according to circumstances.

At present, I will only further request that your Excellency will grant me, with my colleagues, the honour of a personal interview, when it will be my duty to explain more fully to your Excellency the nature of the changes which have taken place, and upon which our present duties and instructions have been founded.

Allow me to convey, through your Excellency, to His Imperial Majesty, the high consideration of His Majesty the King, my master; and with the utmost respect for your Excellency, allow me to subscribe myself your Excellency's very faithful and obedient servant,

(Signed) NAPIER,
Chief Superintendent.

No. 7.

Lord Napier to Viscount Palmerston.—(*Received January* 31, 1835.)

My dear Lord, *Canton, August* 14, 1834.

MY public Despatch, addressed to your Lordship, gives an outline of affairs up to the 9th instant, chiefly relating to what has passed on the subject of communication with the Viceroy. The *Mangles* not having sailed to her time, I am desirous of supplying the latest information; and if anything transpires subsequent to this date, and prior to her departure. I will add it as a Postscript.

I may here state, that which has been omitted in the Despatch, that on the 3rd instant I had a letter from Captain Chads of the *Andromache*, at Chuen-pee, stating "that the Chinese Admiral had threatened to fire into *our cutter* if she attempted to pass up and down the river as heretofore; and that he had assured the Admiral if he did so, the insult would be resented." A similar communication having been made by the Hong merchants to one of the British merchants about the same time, in respect to his schooner passing and repassing, I thought, perhaps, on the *Andromache's* departure some violence might occur; and, therefore, by way of strengthening my own hands, I requested Captain Chads, on his putting to sea, to cruise outside the islands for a week, and then resume his anchorage at Chuen-pee, without communicating at another place. In the meantime, I would be enabled to judge of their intentions. The *Andromache* left Macao Roads three or four days ago, and of course has not yet returned.

On the evening of the 10th instant, it came to my knowledge that a requisition from the Hong merchants had been issued that day to the British merchants, calling upon them to attend a meeting of the Hong at the Consoo House, as next day, at one o'clock. This appearing to me rather a novel and unprecedented measure, I immediately called a general meeting of all British inhabitants, to be held at the hall of the Superintendents at half-past ten; in order to deliberate on the propriety and the consequences of attending such a meeting. Mr. Davis and myself addressed the meeting, deprecating such an attendance as that proposed; and a draft of the letter to the Hong merchants, being proposed and read, was carried unanimously with some verbal alterations.

The object of the Hong merchants was evidently to create a schism among the British, in order to set up one party against the Superintendents, with the view of forcing me to retire by threatening to stop the trade. In this, however, they made a decided failure; and their meeting not having taken place,

they inclosed all the late Edicts refused by me, to the three principal merchants, Jardine & Co., Dent & Co., and Framjee Munchajee, the head of the Parsees, desiring them to enjoin the Edicts upon me: a duty with which, of course, they at once refused to comply. I have, however, acquired privately copies of these documents. They afford a strong example of the want of authority, and the weakness of the Government. But there is also to be gleaned information on one point connected with my instructions, which, I think, plainly demonstrates that there is no "disposition on the part of the Chinese authorities to enter into commercial relations with His Majesty's Government." (Vide third paragraph of your Lordship's Despatch of January 25th, 1834.)

Now, my Lord, I cannot help thinking that by a careful perusal of this paragraph, you will find that I am, in the first place, instructed to "ascertain, how far it may be practicable to extend the trade;" but I am only to do so by "encouraging certain dispositions which may be discovered," (the disposition discovered by the Edicts is not very encouraging) and, "in case of putting to hazard the existing opportunities of intercourse, I am not to enter into any negotiations with the Chinese authorities; but if an opportunity of a negotiation should appear, I am to lose no time in reporting the same to His Majesty's Government;"—in doing which I must lose at least ten months, and, perhaps, the opportunity of effecting good, for ever.

Now, my Lord, I would merely ask, and I do so in the most respectful manner possible, and without the slightest feeling of disrespect to His Majesty's Government, and as little towards your Lordship, if that paragraph does not instruct me to do one thing, a very material thing, and then deprives me of the means of doing it? Suppose, now, the Viceroy relents, and admits me to a conference, and I may have an opportunity of improving our commercial relations at this port, by urging any claim or praying the removal of any difficulty, I am "not to negotiate without first reporting to His Majesty's Government." I cannot help thinking that the whole of this paragraph has been framed without a just consideration of the real state of feeling of the Chinese and their authorities, and without due reference to the history of past times. When was it ever known, within the last century, that the Chinese authorities *evinced a disposition* to encourage foreign trade! On the contrary, all the privileges formerly enjoyed by the British have been curtailed from time to time, till we are at this moment tied down under dreadful restrictions to the mere port of Canton. Our commerce has, no doubt, wonderfully increased; but not through the disposition of the authorities, but through the enterprize of our merchants and seamen, and the great desire of the *people* to obtain our manufactures, and participate in the general advantages of trade.

The house of every Chinaman in these extensive suburbs, is a shop of one sort or another. Every man is constantly at work; nobody seen loitering about and idle; and, in fact, every man is a merchant; yet, does one of these same Edicts speak of the "petty affairs of commerce,"—as if commerce were a matter of no concern in the empire! This is, indeed, an argument they have used on occasions, times without number; and having long acted on the principle, it is quite impossible to suppose they will ever show any desire to join with his Majesty, "in measures likely to promote the happiness and prosperity of the two kingdoms." The Chinese authorities pretend to spurn at the idea of our gracious King's desire of "cultivating friendly relations for the common good of both people." "England has her laws," says the Edict,—"How much more, the Celestial Empire,—how flaming bright—more terrible than awful thunderbolts!!!"

Notwithstanding that there are forty thousand men in garrison at Canton continually, four Edicts have been let off against me, for landing without a red chop, or permit. I have been ordered off; and entreated to depart; yet with all this, and the forty thousand men, and the flaming bright laws, and terrible thunderbolts, they have not yet taken me and sent me down the river. Suppose a Chinaman, or any other man, were to land under similar circumstances at Whitehall, your Lordship would not allow him to "loiter," as they have permitted me. Looking, now, at the utter imbecility of the Government, and the favourable disposition of the people, I cannot for one moment suppose, that, in treating with such a nation, His Majesty's Government will be ruled by the ordinary forms prescribed among civilized

people

people. Under these circumstances I feel conscious, that your Lordship will expunge that paragraph, which, according to my reading, can never be acted upon.

Your Lordship states, "that a direct communication with Pekin would be desirable;" and I am directed "to discover the best means for such a communication." Mr. Davis may perhaps have offered some observations on that head, as he has already done to me, in reference to the advantage of immediate communication; but, of course, I confine my views to the times yet to come. On this particular point, I shall be enabled very soon, from expected information, to say more upon the subject; and I think I can have no hesitation at once in recommending His Majesty's Government to consult immediately on the best plan to be adopted for commanding a Commercial Treaty, or a Treaty which shall secure the just rights, and embrace the interests, public and private, of all Europeans,—not of British alone, but of all civilized people coming to trade according to the principles of international law. I maintain, that it will be as easy to work for the civilized world as for ourselves; and that it will be as easy to open the whole coast, as any individual port. It may possibly be advisable to go to Pekin on the occasion, or perhaps only to send from the mouth of the Peiho river, or from any other point upon the coast. Sending an Ambassador is the more courteous; but the presence of an Embassy presupposes room for debates and long delays, alterations and amendments in plans proposed.

Now, I should say, that we should propose nothing but what is fair and just towards all mankind; and avoid entering into minute details. Demand the same personal privileges for all traders, that every trader enjoys in England. Having once acquired the right of settlement at every port, let the trade go on according to the established rules of the Empire, good or bad,—reserving always the common right to represent and negotiate where wrong prevails.

Our first object should be to get a settlement on the same terms that every Chinaman, Pagan, Turk, or Christian, sits down in England. This, no doubt, would be a very staggering proposition in the face of a red chop: but say to the Emperor, "Adopt this, or abide the consequences,"—and it is done. Now, "abiding consequences" immediately pre-supposes or anticipates all the horrors of a bloody war against a defenceless people. The monopolists would cry out; but I anticipate not the loss of a single man; and we have justice on our side.

The Chinese are most anxious to trade with us; the Tartar Viceroys cannot comprehend it. If the Emperor refuses our demand, remind him he is only an intruder; and that it will be his good policy to secure himself upon his throne by gratifying the wishes of his people. Remind him that the British traded to all ports of China before his dynasty escaped from the wilds of Tartary; and that even one of his early forefathers, not only opened all his ports to foreigners, but invited them to settle and spread civilization in his Empire. The Chinese all read, and are eager for information; publish among them, and disseminate, far and wide, your intentions,—that is, all your intentions both towards the Government and themselves. Disclaim every view of conquest, or of holding partial possession beyond a certain time; disturb not the passage of their vessels, or the tranquillity of their towns; only destroy their forts and batteries along the coast, and on the river sides, without interfering with the people. Such annoyance to the batteries, of course, only to be carried into effect in case of the obduracy of the Emperor. Three or four frigates and brigs, with a few steady British troops, not sepoys, would settle the thing in a space of time inconceivably short.

Such an undertaking would be worthy the greatness and the power of England, as well from its disinterestedness towards other nations as from the brilliant consequences which must naturally ensue. I hope by the return of the ships, now on the coast, to provide your Lordship with authentic information which shall bear me out in my present speculations, as some men may probably call them; but I feel assured in my own mind, from no little enquiry among all parties of people professing opposite opinions, as to the power of

the Chinese, and from other sources and considerations, that the exploit is to be performed with a facility unknown even in the capture of a paltry West India Island. If your Lordship should prefer making gradual propositions by an embassy, I would recommend none of that ostentation practised in the instances of Macartney and Amherst: leave all presents behind, all musicians and idle amateur gentlemen, literary and scientific; and go to work in a manner determined to carry what you mean. This is a vigorous measure which might possibly "alarm the prejudices" of the Celestial Empire, were I to make my ideas commonly known among the Hong. They are now only thrown together for more special consideration; and till I have your authority to proceed upon more active principles, your Lordship may rely on my forbearance towards a Government, which is too contemptible to be viewed in any other light than that of pity or derision.

What advantage, or what point did we ever gain by negociating or humbling ourselves before these people, or rather before their Government? The records show nothing but subsequent humiliation and disgrace. What advantage or what point, again, have we ever lost, that was just and reasonable, by acting with promptitude and vigour? The records again assure us that such measures have been attended with complete success. Two centuries have elapsed this very year, I think, since the bold Captain Waddell came from London with three or four merchant-ships to propose a trade. The Mandarins at first deceived him; but, on a better understanding of his case, he demanded an audience of the Viceroy. This was refused; and the batteries opened upon his ships. In this predicament, the gallant Waddell hauled as near the enemy as he could, beat down the walls about their ears; landed and took the forts; embarked the guns; took their Admiral a prisoner; sailed up to Canton; renewed his application, and had an audience of the Viceroy immediately.

This, I believe, to be the first instance on record; and from that time down to the defeat of Mr. Innes, last year, success has always attended determination. Mr. Innes's is remarkable. He was insulted and wounded by the people working at a Chop or Custom-House, in a manner gross and unjustifiable. He complained to the Hong merchants, and could get no redress. He then gave solemn intimation, that if the offender was not in custody by such an hour, to be brought in due course to trial, he would burn the Chop-house about their ears. The Hong merchants looked upon this as a mere threat, such as used too often by the Company, and not performed. The hour came: the culprit continued at his work, when Mr. Innes, having taken every precaution to prevent the extension of the flames, projected from his balcony a few blue lights, which very shortly made good his word. What was the consequence? Why the Hong merchants and Mandarins assembled; the culprit was arrested and bambooed through the streets, with his neck and head confined within a pig's yoke.

Your Lordship will see by these extreme instances, that there has been no amelioration of disposition on the part of the authorities for 200 years; and that the same determination commands success. These cases are not to be lightly treated in the contemplation of future measures. The Tartars had just overrun the country at that time, and were a warlike people. Their descendants now, although continually reinforced or invigorated from the Steppes, are a wretched people, inconceivably degraded, unfit for action or exertion.

Last year, some hundreds, required to march against some rebels in the province, were found so enervated by every species of vice, that it was impossible to move them. The power of England, however, has continued to increase; and the valour and discipline of her forces beyond what they were ever known to be before. I believe the very mention of an army, or a fleet of ships, to the Emperor, would bring him to his senses. Now, my Lord, I am perfectly aware it may be said, that I recommend such measures from early professional associations, and with the hope or view of participating in the spoil. Now, I declare that I am the most peaceable of men; I have no delight in war; that I would neither make a prize, or divide a dollar; for I am convinced that a commanding attitude alone, with the power of following the threat with execution, is all that is required to extort a Treaty which shall secure mutual advantages to China and to Europe.

If the Government is anxious to extend the trade with a high hand (which I take to be the only way of doing it) it is an easy matter to feel the public opinion, through the medium of the press, by discussing the policy of such measures; and you may be assured the country will bear you through. My present position is, in one point of view, a delicate one, because the trade is put in jeopardy, on account of the difference existing between the Viceroy and myself. I am ordered by His Majesty "to go to Canton; and there report myself by letter to the Viceroy." I use by best endeavours to do so; but the Viceroy is a presumptuous savage, and will not grant the same privileges to me that have been exercised constantly by the Chiefs of the Committee. He rakes up obsolete orders; or, perhaps, makes them on the occasion: but the fact is, the Chiefs formerly used every year to wait on the Viceroy, on their return from Macao; and continued to do it until the Viceroy gave them an order to wait upon him, whereupon they gave the practice up. Had I even degraded the King's Commission so far as to petition through the Hong merchants for an interview, it is quite clear, by the tenour of the Edicts, that it would have been refused. Were he to send an armed force, and order me to the boat, I could then retreat with honour, and he would implicate himself; but they are afraid to attempt such a measure. What then remains but the stoppage of the trade, or my retirement? If the trade is stopped for any length of time, the consequences to the merchants are most serious, as they are so also to the unoffending Chinese. But the Viceroy cares no more for commerce, or for the comfort and happiness of the people, as long as he receives his pay and plunder, than if he did not live among them. My situation is different; I cannot hazard millions of property for any length of time, on the mere score of etiquette. If the trade shall be stopped, which is probable enough in the absence of the frigate, it is possible I may be obliged to retire to Macao, to let it loose again. Then has the Viceroy gained his point; and the Commission is degraded.

Now, my Lord, I argue, that whether the Commission retires by force of arms, or by the injustice practised on the merchants, the Viceroy has committed an outrage on the British Crown, which should be equally chastised. The whole system of Government here is that of subterfuge, and shifting the blame from the shoulders of the one to the other. Act with firmness and spirit; and the Emperor will punish the Viceroy,—as the Mandarin did the wood-cutter for Mr. Innes.

I have, &c.,
(Signed) NAPIER.

POSTSCRIPT.

My dear Lord, *August* 17, 1834.

I HAVE this day a letter from the British merchants acquainting me, that "in consequence of my having declined to receive the Edicts of the Chinese Government, addressed through the Hong merchants, they, the said Hong merchants, have put a stop to the shipping off cargoes on British account."

No Government Edict has yet appeared to stop the trade. The present measure tends to delay the shipment of cargoes, and falls more heavily on the Hong than on the British. This they have done to try my resolution. Now there are two things to be considered,—the honour of His Majesty's Commission, and the interest of the merchants. I conceive my duty to be to sustain them both, but not one at the expense of the other.

I have also a letter this day from Captain Blackwood of His Majesty's ship *Imogene*, announcing his arrival at Chuen-pee, for the purpose of protecting the trade. The *Andromache* has returned with her, and will take letters to India. The arrival of the *Imogene* I may be enabled to turn to good account. I have also intelligence of the expected arrival here of Shing-yin, a Mantchoo Tartar, and Chief Member of the Censorate Board at Pekin. He comes with a Commission, to inquire into the affairs of the province. I shall make an attempt on him as soon as he arrives; and hope to be able to arrange matters, without giving up a point of the ground

I stand upon. In revising my letter, I find I call the subject of dispute a point of etiquette. It is not altogether so; for it is the consequences of humiliation, and yielding a point which has been enjoyed by my predecessors, and the fact of not carrying His Majesty's order into full execution, that I look forward to it. It is a cruel and a criminal measure on the part of a petty tyrant to annoy the merchants, on the score of a dispute which does not immediately affect them.

If after a fair trial of all justifiable means, I find the merchants are likely to suffer, I must retire to Macao, rather than bring the cities of London, Liverpool, and Glasgow upon your Lordship's shoulders; many of whose merchants care not one straw about the dignity of the Crown or the presence of a Superintendent. I shall not go, however, without publishing in Chinese, and disseminating far and wide, the base conduct of the Viceroy in oppressing the merchants, natives as well as foreign; and of my having taken the step out of pure compassion to them. I can only once more implore your Lordship to force them to acknowledge my authority and the King's Commission; and if you can do that, you will have no difficulty in opening the ports at the same time. I am obliged to close this evening, as the ship has dropped down. The *Mangles* will of course report every falsehood for the purpose of raising the price of tea. I think your Lordship may depend on my assurance of the prohibition being of but a very temporary duration, and not attended with any such consequences.

I have, &c.
(Signed) NAPIER.

The *York*, American ship, has delivered me, this day, Mr. Backhouse's circular of the 29th March, on the subject of the dollars; and nothing more of an official nature.

Inclosure 1 in No. 7.

The Hong Merchants to Messrs. Jardine, Dent, and Framjee.

A RESPECTFUL notification. By your honourable* nation there has hitherto been established a Company, having a chief at Canton to superintend all the affairs of commerce. Thus there has been, for upwards of a hundred years, mutual tranquillity without disagreement. Now the Company has been dissolved, and your honourable officer has come to Canton, and affairs now originate from him. Therefore, his Excellency the Governor, having examined the old regulations, has ordered us to enjoin them to be conformed to.

We went to your honourable officer several times, taking copies of four government orders, to enjoin and deliver them; but he refused to receive them all. Thus the affair has continued half a month, and we have been unable to return any report. Hereafter, the Governor, for our not being able to enjoin the orders, will inflict punishment which it will be impossible for us to sustain; therefore, we yesterday requested you gentlemen to come to the Consoo House, to confer personally with us. You did not favour us with coming; but Mr. young Morrison brought your official letter, saying, that as we had not given previous information of the business to be conferred on you were unwilling

* "Honourable" is in Chinese used for the possessive pronoun "your." The word "your" is here understood. In Chinese, respect is shown by position of characters, as well as phraseology. While, at every repetition, the Governor's name is elevated, the mention of "your honourable officer" receives only the same mark of respect that the mention to a sick man, of "your honourable disease," &c., would do.

willing to come. We now send you copies of the four several orders of his Excellency the Governor, expressed in the orders, of cherishing and showing tenderness. We, in a body, request you to reply to us. For this we earnestly hope.

Compliments, &c.

The names of eleven merchants subscribed.

7th moon, 7th day. (August 11.)

Inclosure 2 in No. 7

The Governor of Canton to the Hong Merchants.

July 21, 1834.

LOO, Governor of Kwangtung and Kwangse, &c., to the Hong merchants, requiring their full acquaintance herewith.

The Hee (or Naval Officer) of the Heang-shan district, with others, has reported, "that an English war-vessel, having on board a barbarian 'Eye' (one name for individual), had, from the outer seas, sailed to Cabreta point offing, and there anchored. On examination and inquiry, it was stated that he was to examine and have superintendence of the said nation's merchant vessels coming to Canton to trade, &c. As duty requires, a report is made.

According to this, I have examined and find, that hitherto outside barbarians trading at Canton, have only had Taepans (Chief Supracargoes) buying and selling goods: they have been permitted to request permits, and then come to Canton. But, ordinarily, they have only had permission to reside at Macao. The English have traded at Canton upwards of a hundred years. And, with regard to all the regulations, there has long been mutual tranquillity. The said Hong merchants before reported that this year the English Company is dissolved. The barbarian Eye, who has now come, is, of course, for the superintendence and examination of this business. But the barbarian Eye is not comparable with the Taepans. If he wish to come to Canton, it will be necessary to make, first, a clear report, requesting the Imperial will on the subject. As to the commercial affairs, if there be circumstances absolutely requiring the establishment of other regulations, a petition of request must also be sent, after inquiry and deliberation on the part of the Hong merchants, through them; that a memorial may be prepared, and obedience called for.

Uniting these circumstances, this order is issued. When the order is received by the said merchants, let them immediately go in person to Macao, and ascertain clearly from the barbarian Eye for what he has come to Canton province. Let them also inquire fully and minutely as to what other regulations require to be now established, since this year the said nation's Company has been dissolved and ended. Then let them report in answer, to afford evidence on which to make a plain and full memorial for directions as to what conduct is to be observed, and to what obedience required.

And let them authoritatively enjoin the established laws of the Celestial Empire, that, with exception of the Taepans and other barbarian merchants trading at Canton, none can be permitted to come to Canton without a report having been made, and the mandate received. The said barbarian Eye having to examine concerning, and superintend, the affairs of commerce, may reside at Macao. If he wish to come to Canton, he must inform the said merchants, that they may previously petition me, the Governor; and I will, by post conveyance, send a memorial; and all must respectfully wait till the mandate of the Great Emperor has been received,—then orders will be issued to require obedience. Oppose not! A Special Order.

Taoukwang, 14th year, 6th moon, 15th day. (July 21, 1834.)

Inclosure 3 in No. 7.

The Governor of Canton to the Hong Merchants.

July 27, 1834.

LOO, Governor of Kwangtung and Kwangse, &c., to the Hóng merchants, requiring their full acquaintance herewith.

The outside barbarians of the English nation have had a continued trade at Canton for a hundred and and some tens of years. All affairs and things are conducted according to established regulations reported to the Emperor, which have long been obeyed and kept. Although the barbarians are beyond the bounds of civilization, yet, having come to Canton to trade, they should immediately give implicit obedience to the established laws of the Celestial Empire; then they may enjoy tranquillity. New-come barbarians, not understanding the dignity of the statutes, you, with the linguists, compradores, &c., should instruct clearly and authoritatively in all things to prevent them overstepping or opposing.

I find on examination, that foreigners coming to Canton, have hitherto been permitted only to reside at Macao. When they have affairs of buying or selling goods, &c., to conduct, they are then permitted to request and receive from the Superintendent of the Canton Customs, a permit to come to Canton. Whatever utensils, vessels, &c., they carry with them, must every one pass examination at the Custom-house, and a report of them must be made. The Superintendent of the Customs sends a communication on the subject to my office to be placed on record.

On this occasion, the barbarian Eye [that is, head man, principal man] Lord Napier, has come to Canton without having at all resided at Macao to wait for orders. Nor has he requested or received a permit from the Superintendent of Customs, but has hastily come up to Canton, a great infringement of the established laws! The Custom-house writers and others who presumed to admit him to enter, are sent with a communication requiring their trial; but in tender consideration for the said barbarian Eye, being a new-comer, and unacquainted with statutes and laws of the Celestial Empire, I will not strictly investigate.

But it is not expedient that the said barbarian Eye should long remain at Canton provincial city; it must be required, that when the commercial business, regarding which he has to inquire and hold jurisdiction, is finished, he immediately return to Macao. And hereafter, without having requested and obtained a permit, he cannot be permitted to come to Canton.

As to the object of the said barbarian Eye's coming to Canton, it is for commercial business. The Celestial Empire appoints officers; civil ones to rule the people, military ones to intimidate the wicked. The petty affairs of commerce are to be directed by the merchants themselves; the officers have nothing to hear on the subject. In the trade of the said barbarians, if there are any changes to be made in regulations, &c., in all cases the said merchants are to consult together, and make a joint statement to the Superintendent of Customs, and to my office. Whether [the proposals] shall be allowed, or disallowed, must be learned by waiting for a reply publicly.

If any affair be to be newly commenced, it is requisite to wait till a respectful memorial be made, clearly reporting to the Great Emperor, and his mandate received. Then it may be commenced; and orders may be issued requiring obedience.

The great ministers of the Celestial Empire are not permitted to have private intercourse by letter with outside barbarians. If the said barbarian Eye *throws in* private letters, I, the Governor, will not at all receive or look at them.

With regard to the barbarian factory of the Company. without the walls of the city, it is a place of temporary residence for barbarians coming to Canton to trade. They are permitted only to eat, sleep, buy, and sell, in the factories. They are not permitted to bring up wives and daughters; nor are they permitted to go out to ramble about. All these are points decided by fixed and certain laws and statutes, which will not bear to be confusedly transgressed.

To sum up, the nation has its laws; it is so everywhere. Even England has its laws,—how much more the Celestial Empire! Under this whole bright heaven, none dares to disobey them. Under its shelter are the four seas;

subject

subject to its soothing care, are the ten thousand kingdoms. The said barbarian Eye having come over a sea of several myriads of miles in extent, to examine and have superintendence of affairs, must be a man thoroughly acquainted with the principles of high dignity. And in his person he sustains the duties of an officer, an "Eye." He must necessarily in every affair act in accordance with reason. Then only can he control and restrain the barbarian merchants.

I, the Governor, looking up, will embody the extreme wish of the Great Emperor, to cherish with tenderness the men from a distance. And, assuredly, I will not treat slightingly the outside barbarians. But the national laws are extremely strict and close drawn; we dare not in the least transgress. Let the said barbarian Eye be very careful not to listen to the artful instigations of evil men, enticing him, until he fails of the object of the said nation's King in sending him so far.

Uniting all, I issue this order to be enjoined; when the order reaches the said merchants, let them immediately act in obedience to it, and enjoin the order on the said barbarian Eye, that he may know it thoroughly. Oppose it not.

The said merchants have had intercourse with the barbarians for many years. Their knowledge of their language and feelings must be good. The linguists and compradores are more closely allied to the barbarians. If they truly explain clearly, opening and guiding the understanding, the said barbarian Eye assuredly cannot but obey.

If there should be disobedience and opposition, it must be owing to the bad management of the said merchants, and to the instigations of the linguists. Assuredly, the said merchants shall be reported against, that they may be punished; and on the linguists the laws shall instantly be put in full force.*

Their respectability, their lives are concerned. Tremble fearfully hereat. Make not repentance [necessary]. These are the orders.

Taoukwang, 14th year, 6th moon, 21st day. (July 27, 1834.)

Inclosure 4 in No. 7.

The Governor of Canton to the Hong Merchants.

July 30, 1834.

LOO, Governor of Kwangtung and Kwangse, &c., issues this order to the Hong merchants, requiring their full acquaintance with it.

It appears that the outside barbarians of the English nation, trading at Canton, have hitherto only had permission for Taepans, &c., at the period of buying and selling goods, to request and obtain a red permit, to come in, or go out [of port]. In all things they have had rules and regulations fixed by memorial to the Emperor. They have never had such an affair as a barbarian Eye coming to Canton.

It was before authenticated, that the Hee (or naval officer) of the Heang-shan district, reported that an English cruizer *Chads*, bringing a barbarian Eye, Lord Napier, one name (or individual) had, from the outer seas, sailed in; and that on inquiry it was found he had come to Canton to examine concerning, and superintend, the affairs of commerce.

I, the Governor, having examined, find that a barbarian Eye is not comparable [compatible] with the barbarian merchants. The business being one to be newly commenced, without a report being made, and a mandate received, he cannot have permission to presume to come, of his own accord, to Canton.

I issued orders to the Hong merchants to go to Macao, and enjoin orders requiring him to reside at Macao. If he desired to come to Canton, he was required

---

* A phrase for capital punishment.

required to inform the said merchants, that they might petition me, the Governor; and respectfully wait until, having reported, I should receive an Imperial mandate; then further orders might be issued to command obedience.

Therefore, the said merchants not having yet reached Macao, the said barbarian Eye set out and came to Canton. Neither having, in the first place, made a plain petition, nor having, in the next instance, obediently obtained a permit, he with precipitate haste came in a sailing boat to Canton. It is indeed a great infringement of the laws. Considering that the said barbarian Eye has but newly arrived, and is unacquainted with the dignity of the statutes of the Celestial Empire, he is absolved from strict investigation.

The said merchants have been again commanded to enjoin commands, and to investigate. But for what purposes the said barbarian Eye has come to Canton, and why he did not apply for a permit, it does not yet appear that the said merchants have obtained any clear information or made any report.

On examination, I find that in all that relates to the outside barbarians coming to Canton to trade, the Hong merchants are in every respect held responsible for keeping up strict investigation, controuling and restraining. The said Hong merchants [those sent to Macao] have filled the situation of seniors over the merchants for many years; how is it that they understand not the fixed laws? but, after repeated orders, indulge their own dispositions, deferring and delaying! What is it that occupies their minds? It is extremely inexplicable! It would be right to take the circumstances of the said merchants' negligent connivance at the conduct of outside barbarians, and at once report against them (to the Emperor). In indulgence, I once more command urgent haste. When this order reaches the said merchants, let them immediately act in obedience to it, and enjoin, in an explanatory manner, the previous orders. Let them inquire fully for what purpose the said barbarian Eye has come to Canton, and why he, without obtaining a permit, precipitately came up? and let him immediately report in answer. Let them, at the same time, command the said barbarian Eye immediately to set sail and leave the port. He must not stop in the foreign factories outside the city, loitering about. If he have affairs requiring his immediate superintendence, let him temporarily reside at Macao, waiting till a prepared report has been made, requesting to know the Imperial will, that it may be obeyed. Should he dare resist or oppose, it will be all owing to the indulgence and connivance of the said merchants. The affair concerns national dignity. I, the Governor, will be able only to report against the said merchants, that they may be brought to trial. Say not that you were not forewarned. Tremble hereat! A Special Order.

Taoukwang, 14th year, 6th moon, 24th day. (July 30, 1834.)

Inclosure 5 in No. 7.

The Governor of Canton to the Hong Merchants.

July 31, 1834.

LOO, Governor of Kwangtung and Kwangse, &c., to the Hong merchants, requiring their full acquaintance herewith.

On the 19th of the 6th moon, in the 14th year of Taoukwang (July 25th), I received the following communication from Chung, Superintendent of the Canton maritime Customs.

"The domestics at the Custom-house station behind the factories [on the river side, in front] have reported as follows:—

"'In examining, we perceived, during the night of the 18th of the present moon, about midnight, the arrival of a barbarian ship's boat at Canton, bringing four English devils, who went into the barbarian factories to reside. After having searched and examined, we could find no permit or pass. And having heard, by report, that there is at present a ship of war of the said nation anchored in the outer seas; but not having been able to learn for what purpose

pose, we think that such a coming as this is manifestly a clandestine stealing into Canton. Whether or not the Hong merchants and linguists are in any way consorting with them, we must, making our report, request you as our duty requires, to examine. This is a list of the four barbarians' names. Lord Napier, who, we hear, is a war commander, Davis, Morrison, Robinson.'

" I, the Hoppo, having received this, have examined and find, that when barbarian merchants, who come to Canton province, have to come up to Canton and go down to Macao, the regulations require that the Hong merchants should make a petition, requesting for them a permit, and that I, the Hoppo, should then forward a communication to your honourable officers, and also send information to the Kwang Chow Hee [city commandant] or the Macao Assistant Magistrate of the department, that they may send a military escort. This has long been the mode of conducting the affair, which has been obeyed and practised, as is on record.

" Before this, the Wei-yuens [deputed officers] of the Macao Custom house reported, that an English cruiser *Chads* had anchored at Cabreta offing; and that on board the vessel there was a barbarian Eye, one name, come to examine concerning, and have superintendence of, the mercantile affairs of the said nation's merchant ships trading to Canton. I, at that time, sent a communication to your honourable office for examination. I also gave orders to the Hong merchants to be replied to after examination. But the Hong merchants, without having, in the first instance, reported the English cruizer and barbarian Eye's arrival at Canton, and without having, in the second place, when orders had been given them to examine, made any report of having examined, have at least permitted the barbarian Eye, from the English cruizer vessel, to come clandestinely to Canton. How can the precautions against foreigners be thus considered forcible, and the dignity of the Imperial servants be made awful and impressive? Although the barbarian Eye be unacquainted with the laws of the celestial Empire, how can the Hong merchants have the excuse of ignorance, that they should audaciously dare, without having asked and obtained a permit, to suffer him to come to Canton? Truly, there is no respect of the laws before their eyes!

" Besides again issuing a strict order to the Hong merchants to examine and reply, I also forward this communication, that having examined you may with severity command the Hong merchants to examine and act."

This coming before me, the Governor, I, on the receipt of it have examined, and find, that with regard to the English barbarian Eye coming to Canton, I, the Governor, have already issued repeated orders to the said merchants, to be by them enjoined authoritatively, as is on record.

Having received the communication as above, I unite the circumstances, and again issue this order. When the order reaches the said merchants, let them immediately obey; and in accordance with the tenor of the several previous orders, ascertain clearly for what the said barbarian Eye has come to Canton? and why, in disobedience to the regulations, he has not requested a red permit? Let them instantly, the same day, report in answer. At the same time, let them order and compel him immediately with speed to return to Macao and reside there; waiting till I, the Governor, have made a prepared report, to request the Imperial will to be made known, that it may be obeyed. He must not linger about at Canton. Should there be any opposition, the said merchants will be held solely responsible. Tremble hereat, intensely tremble! These are the orders.

Taoukwang, 14th year, 6th moon, 25th day. (July 31, 1834.)

No. 8.

Lord Napier to Viscount Palmerston.—(Received January 31, 1835.)

My dear Lord, *Canton, August* 21, 1834.

THE postscript to my last brings matters up to the 17th; and the *Mangles* not having kept her time, I give you the remainder to the date hereof, when I am assured she will be despatched.

On the 18th, intelligence arrived of the *Imogene* and *Andromache* having anchored at Chuen-pee; and in the afternoon, the Hong merchants came in a body to inquire the reason; and when they would depart? I replied, that was a secret which I would divulge to no man but to the Viceroy; and if his Excellency would send a great military officer, and conduct me to his presence, I would wave the ceremony of sending the letter, and then I would communicate my whole business in person. This appeared to give great satisfaction, and they departed accordingly. Next day, Howqua and Mowqua returned, stating, that the Viceroy could have no communication with me; and repeated his Excellency's orders that I should depart; arguing that, were he in England he would be obliged to conform to the laws of England, and I ought to do the same here. On the principle of reciprocity I heartily concurred; that were he in England he would be received and treated as a gentleman: and I required no more here.

Another edict, copy of which is herein inclosed, has come out through the Hong, in which the Viceroy threatens, that if I do not obey, "the trade shall immediately be stopped, and the commerce eternally cut off." No official Edict from the Governor himself has appeared, as on former occasions of the like. He threatens; and the Hong merchants enforce, as they say, according to his verbal order. He is in a dilemma, and afraid to commit himself by proclamation; and, therefore, throws it on the Hong, who will, perhaps, be punished for it, after all, by a heavy fine.

I have requested Captain Blackwood to detain the *Andromache*, in the meantime; on account of the monsoons it will be just the same to her, in her passage to Madras, whether she sails to-day or on the 1st of October.

I have written to Lord Grey on the subject of an armament from India, and requesting advice overland as soon as possible.

I have, &c.
(Signed) NAPIER.

Inclosure 1 in No. 8.

The Hong Merchants to the British Merchants.

A respectful notification.

WE have just now received an official reply from his Excellency the Governor, which we are commanded to enjoin, and make known to you. We now copy out the official order and send it for your perusal; praying you, gentlemen, to examine minutely. You will then know that his Excellency the Governor's extreme desire to cherish those from remote parts is great, beyond the power of increase.

We pray you to return an answer. This is the task we impose. For this we write, and with compliments.

7th moon, 14th day. (August 18.)

[Subscribed by Howqua and the ten other merchants.]

Inclosure 2 in No. 8.

The Governor of Canton to the Hong Merchants.

LOO, Governor of Kwangtung and Kwangse, &c., in reply to the Hong merchants.

On examination I find, that the trade from the English nation to Canton has been carried on for a hundred and some tens of years, In this long period all regulations have from time to time been reported and established. Whether the said barbarian Eye, Lord Napier, be an officer or a merchant, there are no means of ascertaining. But having come for affairs of commerce to the celestial Empire, it is incumbent on him to obey, and keep the laws and statutes. It is an old saying, "When you enter the frontiers inquire respecting the prohibitions. When you enter a country inquire into its customs."

The said barbarian Eye, having been sent by the said nation's King from a great distance, is, undoubtedly, a man who understands things; but his having precipitately come to the provincial city, without having made a full report of the circumstances and causes of coming here, was indeed a want of decorum. I, the Governor, considering that it was his first entrance into the inner dominions, and that he was yet unacquainted with the established laws, commanded the said merchants at that time to enjoin orders on him, and to enquire and ascertain for what he had come to the provincial city? That if it were, that, on account of the Company's dissolution, it had become necessary to establish other regulations, he should immediately inform the said merchants, that they might make a report to me, to afford me date for sending a memorial by the Government post. And that the said barbarian Eye should, meanwhile, return to Macao, to await the will and mandate of the Great Emperor being received and published, to command obedience. Thus the business would be altogether managed in perfect accordance with dignified decorum, rendering change needless.

To refer to England,—should an official personage from a foreign country proceed to the said nation, for the arrangement of any business, how could he neglect to have the object of his coming announced, in a memorial, to the said nation's King? or how could he act contrary to the requirements of the said nation's dignity, doing his own will and pleasure?

Since the said barbarian Eye states that he is an official personage, he ought the more to be thoroughly acquainted with these principles.

Before, when he offered a letter, I, the Governor, saw it inexpedient to receive it; because the established laws of the celestial Empire do not permit Ministers, and those under authority, to have private intercourse by letter with outside barbarians, but have hitherto, in commercial affairs, held the merchants responsible; and if by chance any barbarian merchant should have any petition to make, requesting investigation of any affair [*the laws required*] that, by the said Taepans [*Chief Supracargoes*] a duly prepared petition should be in form presented, and an answer by proclamation awaited. There has never been such a thing as outside barbarians sending in a letter. I at that time commanded the Kwang-Chow-Hee to give minute verbal orders on this subject.

Again, I have examined, in order, the points of regulations established by report [*to the Emperor*], and have thrice issued orders, which the said merchants were required to make themselves acquainted with, and to enjoin.

The several subjects discussed in their several orders, are the long established regulations, well known to all barbarian merchants of every nation who have business at Canton. The flamingly luminous ordinances and statutes, thus commencing, I was treating, not slightingly, the outside barbarians. Obey, and remain! Disobey, and depart! There are no ways.

Now [*the merchants*] have reported, that on going to the factory to inquire and ascertain facts, the said barbarian Eye desired to have official correspondence, to and fro, with all the public officers; and would not obey

the orders. On examination, I find that the English nation and the officers of the celestial Empire have hitherto had no intercourse of official correspondence. The barbarians of the said nation coming to, or leaving Canton, have, beyond their trade, not any public business; and the commissioned officers of the celestial Empire never took cognizance of the trivial affairs of trade.

From the time Canton has admitted outside barbarians to its open market, all affairs relating to commerce, and the controul over the barbarian merchants, have been placed under the entire cognizance and responsibility of the said Hong merchants; never has there been such a thing as official correspondence to and fro with a barbarian Eye.

And of these trading at Canton, there is not only the English nation,—nor have the English barbarian merchants been at Canton only one or two years; yet all have been tranquil and quiet, obeying the laws. There has been no occasion for officers to examine into, and manage business: on the contrary, they would but embarrass and impede the merchants. This request, to have official correspondence to and fro, is not only contrary to dignity and decorum, but also would prove very inexpedient for the barbarian merchants of all the nations: the thing is most decidedly impossible.

The said merchants, because the said barbarian Eye will not adhere to the old regulations, have requested that a stop should be put to the said nation's commerce. This manifests a profound knowledge of the great principles of dignity. It is most highly praiseworthy. The circumstance of the said barbarian Eye, Lord Napier's perverse opposition necessarily demands such a mode of procedure. It would be most right immediately to put a stop to buying and selling. But, considering that the said nation's King has hitherto been, in the highest degree, reverentially submissive, he cannot, in sending Lord Napier here at this time, have desired him thus obstinately to resist.

The some hundreds of thousands of commercial duties, yearly coming from the said country, concern not the Celestial Empire to the extent of a hair, or a feather's down. The possession or absence of them is utterly unworthy of one careful thought. Their broadcloths and camlets are still more unimportant, and of no regard. But the tea, the rhubarb, the raw silk, of the inner dominions are the sources by which the said nation's people live, and maintain life. For the fault of one man, Lord Napier, must the livelihood of the whole nation be precipitately cut off?

I, the Governor, looking up and embodying the great Emperor's most sacred, most divine wish, to nurse and tenderly cherish, as one, all that are within and without, feel that I cannot bring my mind to bear it. Besides, all the merchants of the said nation dare dangers, crossing the seas myriads of miles, to come from far here; their hopes rest wholly on the attainment of gain, by buying and selling. When, the other day, being summoned by the said merchants to a meeting for consultation, they did not attend, it was because they were under the direction of Lord Napier. It assuredly did not proceed from the several merchants' own free will. Should, in one morning, the trade be wholly cut off, it would cause great distress to many persons who, having travelled hither by land and sea, would by one man, Lord Napier, be ruined; they cannot in such a case but be utterly depressed with grief. In commiseration, I again give temporary indulgence and delay. Let the said merchants again immediately enjoin, particularly and minutely, the orders regarding the said barbarian Eye, with unruffled mind to consider thrice. He should know that the said nation trades here, and annually amasses great gain, entirely in consequence of this sacred dynasty's extreme wish to cherish tenderly those from afar. It in no way regards the trade as an advantage: and cannot be hampered or constrained by any consideration for it. If the old established regulations be not in accordance with reason, how could all the barbarian merchants yield to them the willing submission of their hearts, and obediently keep them. Since the said barbarian Eye occupies an official situation, all merchants of the said nation, when they do not keep the laws, will require to be controuled and constrained by him. But if he talk not reason, how can he gain submission of the multitude?

I, the Governor, have for some tens of years, extended my care over those within and those without; and have never treated a man contrary to propriety. How can I be willing to treat tyrannically the requests of men from far? But

what

what concerns the nation's dignity will not admit of being transgressed or passed over.

I hear that the said barbarian is a man of a solid and expansive mind, and placid speech. If he consider, he can himself, doubtless, distinguish right and wrong.

Let him, on no account, allow himself to be deluded by men around him.

If he can repent and arouse, obey the previous orders, and act according to them, let him answer through the said merchants; and the trade shall continue as formerly. If he still maintain his obstinacy, and do not arouse, then it will appear that the said barbarian Eye does not wish the said nation to have the liberty of the market. The trade shall immediately be stopped, and the commerce eternally cut off.

Hereafter, when the said nation's King hears, respecting these repeated orders and official replies, he will know that the whole wrong lies on the barbarian Eye: it is no way owing to any want on the part of the celestial Empire of extreme consideration for the virtue of reverential submission, exercised by the said nation's King. Let the said merchants take also this reply; and having enjoined it authoritatively on the private merchants of the said nation, and the barbarian merchants of every nation, that they may make themselves acquainted with it, let it be folded up and preserved.

Taoukwang, 14th year, 7th moon, 14th day. (August 18, 1834.)

No. 9.

J. F. Davis, Esq., Second Superintendent, to Viscount Palmerston.—(*Received uary* 1, 1835.)

(Extract.) *Canton, August* 7, 1834.

THE affected indifference of the native Government to the proceedings of foreigners, seems to have forbidden their making any public demonstrations of curiosity, previous to Lord Napier's arrival; but, as early as April last, their anxiety on the subject led to an indirect verbal application, through the Hong merchants, to myself, as the Company's chief, for some report of the intentions of our Government. I, of course, did not feel in any way authorized without instructions to enter on a subject on which I was still in a great degree uninformed; and, as the application was unofficial, I evaded making any reply to it. Thus things remained until Lord Napier's arrival, when some degree of feverishness was displayed by the dispatch of the two senior merchants to Macao, for the purpose of endeavouring to persuade our remaining there until a reply should arrive from Peking. They did not reach Macao, however, until the day after our departure for this place. They hurried back to Canton; and, waiting on Lord Napier, offered to read to him an order from the Viceroy addressed to *them*, which *they* were to enjoin or enforce on the Superintendents.

Lord Napier seems to be clear as to his instructions allowing him to decline any but a direct communication with the officers of Government: and in the policy of this course, I have no hesitation whatever in concurring; for to be governed by the Hong merchants, a system which has always been highly detrimental to our true interests, would now be infinitely worse than under the reign of the Company,—whose transactions, amounting to some millsons per annum, did of course give them great influence over those merchants. There even existed, perhaps, some community of interests, as the general welfare and growth of their trade was, to a certain extent, a reciprocal benefit. This species of influence is out of the question with *us*; who, unless we can have direct access to the Government officers, can do nothing whatever.

Lord Napier's letter of announcement was rejected on the most frivolous or inadmissible pretexts: and matters remain where they were on our arrival here on the 25th ultimo,—the merchants having been told that they are only letter-carriers, and that orders from *them* cannot be received by Lord Napier, or the Superintendents.

Our first advances having been so unceremoniously rejected, I really do not at present see any better plan than remaining perfectly quiet, as some open communication must be at least as convenient to the Chinese as to ourselves. In the mean while the trade goes on; and our controul over our countrymen continues to be exercised.

Extract from MS. Notes.

In 1747, "the Hong merchants used every endeavour to prevent the access of strangers to offices of Government, finding they could exercise their impositions on both with greater success and impunity." The same records observe, that "ever since they carried their point of preventing all intercourse between the Europeans and Mandarins, they have imposed upon both in their turns, and put the trade of this place upon such a footing as, without redress, will render it impracticable to Europeans."

No. 10.

Duke of Wellington to Lord Napier.

My Lord, *Foreign Office, February* 2, 1835.

YOUR despatch of the 9th of August, and your letters marked "private," addressed to Lord Palmerston, to the 21st of August, were received at this office on Saturday the 31st ultimo.

I learn that a vessel will sail for Canton from the River Thames this afternoon; and I avail myself of that opportunity earnestly to recommend to your Lordship's attention, the instructions of Lord Palmerston of the 25th January, 1834; and most particularly the 18th and 19th Articles of the general Instructions which you have received under the Royal Sign Manual.

It is not by force and violence that His Majesty intends to establish a commercial intercourse between his subjects and China; but by the other conciliatory measures so strongly inculcated in all the instructions which you have received.

I have, &c.,
(Signed) WELLINGTON.

No. 11.

Lord Napier to Earl Grey.—(Communicated to the Foreign Office, by Lord Grey, February 7, 1835.)

My dear Lord, *Canton, August* 21, 1834.

THE ship *Mangles*, which bears my first despatch, not having sailed at the appointed time, I have brought up my intelligence in a letter to Lord Palmerston to the latest hour; and in that letter I have endeavoured to suggest for the consideration of His Majesty's Ministers, the line of policy which I recommend to be adopted towards the Chinese Government; in order to extort from them a Treaty which shall embrace the public and private interests of all civilized nations who may be induced to trade with that people. There are two propositions to be considered, which are, indeed, perfect axioms. 1st. That the Chinese people are most anxious for our trade—from the Great Wall to the southern extremity of the empire,—the Tartar Government alone being anti-commercial: and the 2nd is, that the Tartar Government, being in the extreme degree of mental imbecility and moral degradation, dreaming themselves to be the only people on the earth, being entirely ignorant of the theory and practice of international law;—that Government

Government is not in a position to be dealt with or treated by civilized nations, according to the same rules as are acknowledged and practised among themselves. Your Lordship will also bear in mind, that the trade of European nations was not limited under the last dynasty as it is at present; neither was it the policy of the first and greatest of all the Tartar race, to exclude the commerce from the empire in the manner it has suffered during and since the reign of Kien-Lung. The Emperor Kang-ghi encouraged trade with other nations, and invited the learned of all Europe to settle in his dominions. It was not till 1786, I think, that Kien-Lung confined us to the port of Canton: and since which time, the trade being merely a question between a company of merchants in London, and the Chinese Government, the two parties have continued to play into each other's hands, to their mutual advantage, without any reference to the convenience, comfort, or advantage of the people. Had the monopoly never existed, is it possible to conceive that the British commerce would ever have been confined to the port of Canton? The bare idea of such a predicament is absurd. The restriction of the trade to one point was conformable to the interests of monopoly; and the arrogance and senility of the Government have been matured and upheld by the concessions of the Company on every case of aggression; teaching the Tartars to believe that England depended upon them for food and raiment, and that the Emperor was the only Monarch of the universe. A common examination of the previous documents I have sent home, especially the latter one, confirms everything I have advanced. The question then is, when the merchants here are open-mouthed for extended trade, (a similar feeling I presume existing among their constituents at home) is this the most favourable time or not to carry such a plan into execution?

Your Lordship will see, that, in obedience to His Majesty's instructions, "having taken up my residence at Canton, and endeavoured to report myself by letter to the Viceroy," this overweening Authority is debarred by the dignity of the laws, from communicating with an outside barbarian; threatens that "the trade shall immediately be stopped, and the commerce eternally cut off, if I don't go forth the provincial city;" and then he insults His Most Gracious Majesty and the whole country, by boasting of the "extreme consideration evinced by the celestial Empire for the virtue of reverential submission exercised by the said nation's King." The Viceroy has not only threatened, but actually stopped the export trade. The merchants are of opinion that it cannot last. I am rather inclined to think he will for a time attempt to carry it further; and all this for the purpose of ingratiating himself with a man of high rank who is daily expected for the purpose of inquiring into the state of the province. Be that as it may, it is my first duty to endeavour, by all means, to cause them to come to a settlement with our merchants; and to make them ship off the goods already paid for. That being done, it depends upon the Viceroy to carry on the trade openly as heretofore. If he does not agree to that, the smugglers will do it for him. If the worst comes to the worst, I can only retire to Macao; but the consequence will be disgraceful. If your Lordship, on the receipt of this, would despatch a messenger to Calcutta overland, order a British force with some small craft to act along the coast, we should soon bring matters to a close. In the mean time I will endeavour to unite the merchants on the plea of being quiet till I can hear from your Lordship, whether I am to submit to every Edict, or whether His Majesty's Government will assert our ancient rights of commerce, and enforce the same respect to our country as is received from other States. The greater part of the trade is already carried on by smuggling; and I think that which remains, and cannot also be smuggled, may be allowed to rest without any loss or hardship, till your Lordship can instruct me overland.

A messenger to Calcutta can communicate there with the Governor General, and proceed to this place in one of the clippers, or fast-sailing traders, during any season of the monsoon. His arrival there in May, will allow abundance of time to prepare a little armament to enter the China seas with the first of the S.W. monsoon; which, on arriving, should take possession of the island of Hong Kong, in the eastern entrance of the Canton river, which is admirably adapted for every purpose. Considering that, in 1831, the then Viceroy issued a proclamation stating, "that in case of the dissolution of the Company, it was incumbent upon us to appoint a chief for the general management, as heretofore;" and considering that they have refused me every privilege formerly

enjoyed by the chiefs of the Factory,—of personal communication and correspondence, I feel satisfied that your Lordship will see the urgent necessity of negociating with such a Government, having in your hands at the same time *the means of compulsion:* to negociate with them otherwise, would be an idle waste of time.

Now, if your Lordship shall send me a messenger in advance of an armament, I would recommend that I should be instructed to give immediate notice at Peking, and all along the coast, of the demand about to be made; so that no sudden appearance of force may intimidate the people; but that they may look to the arrival of such a force, as the happy means of their emancipation from a most arbitrary system of oppression. It will also give the Government time to reflect and "tremble" at the consequences of refusal. It may be said that such notice will afford them the means of preparation. Granted; it will be nothing. You read of a standing army of above 1,000,000 of men to defend the empire: it is an absurdity; they could only muster a few hundred wretched creatures last year at this city, to send against a rebellion; and one-half of them were utterly incapable of taking the field. Governor Le and his troops were defeated; and he was of course superseded by the present man Loo, who paid an enormous bribe to the rebels, and thus restored order. What can an army of bows, and arrows, and pikes, and shields do against a handful of British veterans? I am sure they would never for a moment dare to show a front. The batteries at the Bogue are contemptible; and not a man to be seen within them. They have, no doubt, a long muster-roll of military; but the Governor draws the pay: and if he wants a force within the batteries, the plan is to drive in the peasantry from the country around. There is not the slightest fellowship between the Chinese and the Tartars. The Hong merchants here in a body, a few days ago, on being asked, said they were all Chinese and did not like the Tartars; but they could not help themselves. I am sure the British merchants will submit to a temporary inconvenience for a positive benefit; and I will, in the mean time, endeavour to carry on according to the principles already recommended by your Lordship, which are certainly most fitting when one has a reasonable people to deal with.

I have, &c.,
(Signed) NAPIER.

No. 12.

Lord Napier to Viscount Palmerston.—(*Received February* 24, 1835.)

My dear Lord, *Canton, August* 27, 1834.

NOTICE has been given this evening that the *Spartan*, for England, will sail to-morrow morning early. I am, therefore, anxious to bring matters up from the conclusion of my last, on the 21st instant, accompanied by an Edict, to the date hereof; which letter was sent in a second bag to the *Mangles*, and which *Mangles*, we hear to-night, has not yet left the anchorage near Macao. The *Spartan* touches at the Cape; therefore, I do not believe there will be many days between their arrival.

By the last Edict, the 18th instant, your Lordship will see that the Viceroy, or Governor, threatens to stop the trade, when it has already been done by the Co-Hong. We now hear that they did it, contrary to the private wish of the Governor, who had it forced upon him by the Kwang-Chow-Foo, who has been since dismissed, as you will presently hear, and that the majority of the Hong were against it; but Howqua who rules, and who has no commercial dealings with the British, has all the others under his controul, as his debtors, so carried the point.

The younger members of the Hong are much dissatisfied; they would all like to recover their ground, but dignity and decorum would be thereby offended. I believe I shall have a communication with the merchants in a day or two, in order to adopt some method to bring their wishes to the point. In all other respects, events have been decidedly in our favour. On the 18th, I had advised Mowqua to petition the Viceroy to send a great military officer, to conduct me to his Excellency, which might save the trouble and difficulty of the Letter. On the 19th, he returned with the message, that the Viceroy could held no communication with me; notwithstanding which, in the evening of 22nd, in came Howqua and Mowqua with a message from the Viceroy, requesting I would receive a visit next morning from the Kwang-Chow-Foo, the Chaou-Chow-Foo, and the Kwang-Chow-Hee,—the two former, civil mandarins of high rank, and the third, a military one of the same sort. Of course, I expressed my willingness to receive them in state in the great hall; and the arrangements were formed accordingly.

The occurrences of this day's meeting are detailed in the records; and I forward a copy which will explain everything distinctly. The consequences are, however, what we have to look to, and which are not yet developed; but the act of sending three great men to confer with an outside barbarian, contrary to all previous custom, is a strong instance of their vacillation, or want of steady purpose and determination; and it is an occurrence which has astonished the shopkeepers beyond measure: they would be too happy to trade with us on any terms.

I have now desired Mr. Morrison to translate and print a short statement of our present circumstances in respect to the trade, which I will circulate amongst the mercantile community in general; because I have some reason to believe that the government have been playing us false on that subject.

The Edict of 1831 is that which they never can get over, although they appear to have forgotten it altogether. The day after the conference, the Kwang-Chow-Foo was dismissed from office. His want of success on that occasion, had filled up the measure of many iniquities; and some say he is gone to Peking to answer for all his administration. He has been succeeded by the Chaou-Chow-Foo; and the Hoppo, a revenue commissioner, is also about to be dismissed. He is known by the name of "skinflint" in his own language, as being the greatest extortioner ever sent from Peking.

At present the whole community, including mandarins and Hong merchants are much taken up in feasts and oblations. The illuminations on board the vessels on the river are magnificent every evening.

This Kwang, who has been dismissed, was the person who principally forced

the stoppage of trade. The Chaou was the orator for the occasion; the military Kwang, a fine-looking coarse-featured old man, was extremely desirous of accommodating matters; but it was quite impossible to *send messages* on important business, and I had no security that my business would have been properly reported.

I hope your Lordship will receive my other letters safe per *Mangles*.

I have, &c.

(Signed) NAPIER.

Inclosure in No. 12.

Statement of what passed in the interview between Lord Napier and certain Chinese Officers, on the 23rd of August, 1834.

Saturday, August 23, 1834.

ACCORDING to yesterday's intimation, the Linguists and servants arrived at the hall this morning, at nine o'clock, bringing with them chairs, &c., of ceremony, for the use of the Mandarins, which they placed in the following manner:—Three chairs for the Mandarins, fronting the South, towards the river; a row on the right hand, with their backs turned towards the picture of his late Majesty; and another on the left, opposite, crossing the room at right angles, intended for the Hong merchants; and thus leaving no space for the accommodation of the Members of the Commission.

On the arrival of the Superintendents, at a little before eleven, it was thought indispensably necessary to alter the arrangements, by introducing a writing-table, which was placed longitudinally across the room; a chair at the north end being placed for Lord Napier, one at the south end for Mr. Astell, Secretary; the chair of the Kwang-Chow-Foo, obliquely on Lord Napier's left; the chair of the Kwang-Chow-Hee, similarly, on Lord Napier's right; the chair of the Chaou-Chow-Foo, obliquely on Mr. Astell's right; a chair for Sir George Robinson, obliquely on Mr. Astell's left; a chair for Mr. Morrison, Interpreter, a little in the rear, between Lord Napier and the Kwang-Chow-Foo; a chair for Mr. Johnston, Private Secretary, in the same position on the right; a row of chairs for the Hong merchants, across the room, behind the two Mandarins, facing his Majesty's picture; with chairs for the other gentlemen attached to the Commission, longitudinally on the south side of the room, to the left of Sir George Robinson: thus keeping his Majesty's picture open to all.

This new arrangement being effected, Howqua and Mowqua arrived, using every endeavour and persuasion to restore the former order of things, as being more compatible with the dignity of the Mandarins, and the usages of the celestial Empire.

A delay of above two hours thus ensued, before they could be induced to yield this point of etiquette; and at a quarter past one (the Superintendents being in full dress, seated in their places) the Mandarins arrived, when the Superintendents rose and requested them to take their seats, which they did accordingly.

Howqua and Mowqua being called in, were desired by Lord Napier to take their seats. The business of the day commenced by Lord Napier putting the question to Howqua, through Mr. Morrison, the Interpreter,—If the Mandarins had not desired him to state their intention of waiting on the Superintendents at eleven o'clock? Having received an answer in the affirmative, Lord Napier expressed his extreme dissatisfaction to the Mandarins, for having thus delayed their attendance for about two hours; considering it as an insult to His Britannic Majesty, which could not be overlooked a second time; desiring them to remember, that whereas on former occasions they had only to deal with the servants of a private company of merchants, they must understand henceforth that their communications would be held with the officers appointed by His Britannic Majesty, by no means inclined to submit to such indignities.

Lord Napier then requested the Kwang-Chow-Foo to relate the object of his visit. The Chaou-Chow-Foo then explained, at considerable length, that

that they were ordered by the Viceroy to demand of Lord Napier the cause of his arrival at Canton; the nature of the business he was instructed to perform; and when it was his intention to return to Macao? To the first of these questions Lord Napier replied, by reading from the records the Edict of the Viceroy, (Taoukwang, 10th year, 12 moon, 3rd day, (16th January, 1831,) "instructing the Chief of the Factory to send an early letter home, stating, that in case of the dissolution of the Company, it was incumbent to deliberate, and appoint a chief who understood the business, to come to Canton for the general management of commercial dealings; by which means affairs might be prevented from going to confusion, and benefits remain to commerce."

Hereupon, Lord Napier produced His Majesty's Commission; acquainting the Mandarins that His Majesty had been pleased, in furtherance of the wishes expressed in the said Edict, to appoint him, one of His Majesty's household and a Captain in his Royal Navy, to perform the duties so required; assisted by the other gentlemen then present, whose names were also mentioned in the Commission. Lord Napier also remarked, that the Viceroy, as well as they, the Mandarins, appeared entirely to have forgotten the existence of such a document; and begged to refer them to their own records, wherein, undoubtedly, the original would be found.

In reply to the second question, as to the nature of the duties to be performed, information on that point was contained in the letter to the Viceroy, which he recommended that they should deliver to his Excellency; or, if they preferred, they were at liberty to open and peruse it themselves, on the condition that it should be deposited, as an official document, among the archives of the Government.

As to the third point, of his Lordship's return to Macao, he stated, that that was a point to be regulated entirely according to his own convenience.

A great deal of desultory conversation then took place, when the Mandarins observed, that the King of Great Britain ought to have written a letter to the Viceroy, stating his wishes and intentions, that he might have been able to report the same to the Emperor. Lord Napier replied, that it was quite incompatible with the dignity of his Sovereign to correspond with the Viceroy, considering that he himself, an hereditary nobleman in his own country, and of much higer rank than any of the Mandarins present, was on a perfect equality with the Viceroy or Governor; and, consequently, the proper channel for such communications.

The Mandarins then argued the necessity of their being made acquainted with the nature of the business on which they had come to seek information, that they might report the same to the Viceroy.

Lord Napier replied, that it was quite impossible, as well as irregular, to communicate important official business through the medium of common conversation; and therefore recommended them again to consult on the subject with the Viceroy.

The Mandarins appeared desirous of considering Lord Napier's letter to the Viceroy, in the light of a *private* communication, which might be opened by the Hong merchants,—a point which of course was firmly resisted.

The business of the day being thus brought to a conclusion, the Mandarins partook of a refreshment and departed upon the best possible terms, hinting they might probably return in a little time. The Kwang-Chow-Hee, being the chief military officer of the department, remarked, that it would be very unpleasant were the two nations to come to a rupture. To which Lord Napier replied, not at all on our parts, as we were perfectly prepared; but that he might be perfectly assured of His Majesty's most gracious desire of maintaining the most friendly intercourse with the Emperor of China.

Considering that a few days have only elapsed since it had been suggested to the Hong merchants that the Viceroy might send a military officer for the purpose of conducting the Superintendents to the presence of his Excellency, and that a verbal message had been received from his Excellency, stating, "that he could hold no communication with outside barbarians," it is evident that the present visit of the mandarins, the first of the sort that had ever occurred, proposed entirely on the part of their own Government, must have arisen from a conviction in the mind of the Viceroy, of the necessity of opening a communication with the Superintendents, in accordance with the advantages which

must accrue to the interest of both nations, by conducting their affairs on principles of mutual and friendly intercourse.

The discussion which took place previous to the meeting, relative to the dispcsition of the chairs, although of itself in any other country a matter of trivial importance, yet among people like the Chinese, whose actions are entirely governed by etiquette, it is considered by the Superintendents, that the Mandarins, having yielded up the point, afforded to them the strongest proofs of the propriety and necessity of conducting their business with firmness and determination; being satisfied that a steady perseverance will be attended with success, but the slightest concession, on their parts, is sure to be followed by subsequent embarrassment and defeat.

(Signed) NAPIER.

No. 13.

Lord Napier to Viscount Palmerston.—(*Received February* 24, 1835.)

My dear Lord, *Canton, August* 28, 1834.

ACCORDING to intimation from the *Spartan* that she was to sail early this morning, I closed the bag last night, but now, at noon, I find there is a moment left; and I take the opportunity of stating that Howqua and Mowqua have just been here to request that I would receive four Mandarins on Saturday next, the day after to-morrow. This I have consented to do; which will soon lead, I hope, to an amicable adjustment of our differences.

I have, &c.,
(Signed) NAPIER.

No. 14.

[MEMORANDUM.—*Foreign Office, February* , 1840.] No despatches or letters were received at the Foreign Office from Lord Napier, of a date later than his Lordship's preceding letter to Lord Palmerston. In order, however, to supply the interruption which would otherwise exist in the narrative of occurrences between the date of that letter, August 28, and September 28, (when Mr. Astell, the Secretary, announced Lord Napier's return to Macao from Canton, and his Lordship's illness at that place,) the following brief statement has been prepared. This statement may be considered as an abstract from the "Records of Proceedings" kept by the Commission; a copy of which was received at the Foreign Office on the 12th of March, 1835.

In the interview between the Hong merchants and Lord Napier, to which his Lordship adverts in his letter of the 28th of August, the merchants proposed that the position of the chairs (*as mentioned in Inclosure in No.* 12 *of this collection of documents*) for the intended meeting between Lord Napier and the Mandarins, should be altered; and that the Mandarins should bring a Linguist with them to interpret and to write,—evidently, as supposed, for the purpose of substituting him for Mr. Morrison, the Interpreter to the Superintendents. To the latter proposal Lord Napier assented, upon the same principle that he would himself take Mr. Morrison with him to the Viceroy, in the event of his having a meeting with his Excellency; but his Lordship insisted that Mr. Morrison should be the medium of interpretation on the occasion proposed, as he had confidence in *his* communicating what he was told, and could have no reliance on a Linguist who knew nothing of the English language. As to the chairs, Lord Napier required that they should remain in the same positions in which they had been placed in his first conference with the Mandarins. On this the merchants retired, with a promise to return the following day.

On the 29th the merchants returned as they had promised; when they repeated

repeated the arguments of the day before: these arguments having been resisted by Lord Napier on the grounds already stated, the merchants went away, promising to report what had passed to the Mandarins, and call again the next day.

It does not appear that the merchants kept their promise on this occasion, or that they had again any personal intercourse with Lord Napier.

In the mean while, information having been received by his Lordship, through private channels, that the Chinese authorities had circulated reports among the people, highly prejudicial to the honour of the King's Commission, and giving a false colour to the events that had passed, Lord Napier caused a statement to be lithographed and fixed to the corners of the streets of Canton, and to be generally circulated for the information of the Chinese people, of which the following is a copy:—

Present state of relations between China and Great Britain.—Interesting to the Chinese merchants.—A true and official Document.

"On the 16th January, 1831, the Viceroy, Le, in consequence of advice from the Hong merchants, issued an Edict requiring the Chief of the Factory to write home, stating, that, "in case of the dissolution of the East India Company, it was incumbent on the British Government to appoint a Chief to come to Canton, for the general management of commercial dealings, and to prevent affairs from going to confusion." Whereupon, at the dissolution of the Company, the King of Great Britain, in accordance with the wishes of the Viceroy, appointed Lord Napier, a member of his own household, an hereditary nobleman, and a captain in his royal navy, to come to Canton for the above most laudable purpose; and to report himself to the Viceroy accordingly. Lord Napier arrived at Canton on the 25th July; and next day forwarded his letter addressed to the Viceroy to the City Gates; which was offered to the Mandarins for the purpose of being delivered, and refused by the whole of them. It is false to say, that the British officer who carried the letter desired to force his way within the precincts of the palace. The Hong merchants, it is true, desired to take it; but it was quite derogatory to the dignity of the Representative of the King to communicate through the merchants. The Viceroy now complains, that he does not know for what reason Lord Napier has come; at the same time forgetting the Edict of his predecessor, which brought him here, as well as his own obstinacy in refusing to receive the letter of a man of equal rank with himself. His Excellency then publishes Edicts, requiring Lord Napier to return to Macao; and on the 18th August publishes another Edict, in which he states, "that the Hong merchants have requested the trade to be stopped, but that, in commiseration," says he, "I again give temporary indulgence and delay,"—knowing, at the same time, that the trade had been actually stopped by the Hong merchants two days before.

"The Viceroy then sends the Kwang-chow-foo, the Kwang-chow-hee, and the Chaou-chow-foo, to enquire of Lord Napier the object of his visit,—the nature of his duties,—and the time of his return to Macao. Lord Napier replies to the first, by a reference to the Edict of January, 1831; to the second, by a reference to his letter to the Viceroy which contains all the intelligence, and which they refuse to open or convey; and to the third, that his return to Macao depends entirely on his private convenience. The ignorance and obstinacy of the Viceroy has thus allowed the Hong merchants actually to put a stop to the trade, when he himself only threatens to do so. He sends the Mandarins, and they return as empty as they went, when the official document was offered for their conveyance; and the consequence is, that thousands of industrious Chinese who live by the European trade, must suffer ruin and discomfort through the perversity of their Government. The merchants of Great Britain wish to trade with all China, on principles of mutual benefit. They will never relax in their exertions till they gain a point of equal importance to both countries; and the Viceroy will find it as easy to stop the current of the Canton river, as to carry into effect the insane determination of the Hong.

"I have, &c.,
"(Signed) NAPIER."

Canton, August 26, 1834.

The great anxiety of the people to become acquainted with the foregoing document, as manifested by their taking copies of it from morning till night, and even by candle-light after dark, afforded a strong proof of the interest which they took in a matter so nearly connected with their own welfare.

By way of a reply to this document the Chinese authorities issued a notice to the following effect, and which was likewise affixed to the corners of the streets:—

"A lawless foreign slave, Napier, has issued a notice. We know not how such a dog barbarian of an outside nation as you, can have the audacious presumption to call yourself Superintendent.

"Being an outside savage Superintendent, and a person in an official situation, you should have some little knowledge of propriety and law.

"You have passed over ten thousand miles in order to seek a livelihood; you have come to our celestial empire to trade and control affairs;—how can you not obey well the regulations of the Empire? You audaciously presume to break through the barrier passes, going out and in at your pleasure!—a great infringement of the rules and prohibitions! According to the laws of the nation, the Royal Warrant should be respectfully requested to behead you; and openly expose [your head] to the multitude, as a terror to perverse dispositions."

It does not appear that this notice had any effect whatever on the people.

It is stated in the "Records," under date of the 2nd of September, that information had been communicated to Lord Napier, that the Viceroy had ordered the Hong merchants to devise some plan by which the trade might be opened; and thus relieve himself from the difficulty in which he found himself, in consequence of his never having reported to the Emperor the arrival of Lord Napier in Canton:* proposals were therefore under consideration that the trade should be opened; that Lord Napier should retire in a few days after the opening of the trade to Macao, with an understanding that he might pass and repass between Macao and Canton, if necessary, quietly and without the authorities taking notice of it; and that a representation should be forwarded to the Emperor recommending an acknowledgment of the new system of trade. [*For a summary of this private negotiation, see No.* 28 *of this collection of documents.*]

Notwithstanding the Viceroy's disposition to open the trade, he was obliged to abandon his intentions in this respect, in consequence of the numerous representations addressed to him by certain Chinese functionaries; one of whom, the Foo-yuen, offered to share the responsibility with his Excellency, and urged him on to an adverse course of proceeding, by comparing his conduct with that of the late Governor Le while in a similar position; consequently, on the 4th of September, an Edict was published by the Viceroy, dated the 2d, confirming the stoppage of the trade from the 16th of August, up to which period "all commercial dealings were to be confirmed; all goods paid for to that date were to be shipped, after which the trade was altogether to be stopped." As by this Edict all workmen, boatmen, and others, were no longer allowed to receive

---

(* *Memorandum.—Received at the Foreign Office, April* 14, 1835.)

The following may be taken as a proof of the Chinese authorities in Canton sparing no expense or trouble to deceive the Emperor, when deception is deemed necessary, which is the case nine times out of ten, when we have any misunderstanding with them.

When the official Report to the Emperor was drawn up, after the affair between Lord Napier and the Viceroy, it became necessary for all the departments to be unanimous.

A Censor of high rank was in Canton; he had been sent down from Pekin to investigate the conduct of officers also high in rank; and it became necessary to bring him over. The arguments used may be inferred from the following circumstance: he brought no money with him; had none to receive there; but when he left Canton, he carried away so much money with him in gold, that his emissaries in purchasing it raised the price of gold of 100 touch, ¾ of a dollar per tael weight, or from 23½ dollars per oz. to 24¼, before they had procured all they required,—a rise of 3¾ per cent.

This is from the best authority. (Signed) W. JARDINE.

December 8, 1834.

[Memorandum: Foreign Office.—It has been calculated, that the purchase of gold necessary to affect the money market at Canton, in the manner stated by Mr. Jardine, must have been to the extent at least of One hundred thousand pounds sterling.]

receive hire from the foreign community, these persons deserted their service and left the factories.

Under these circumstances, Lord Napier on the 5th addressed a letter to Captain Blackwood, of Her Majesty's ship *Imogene*, at Chuen-pee, requesting him to pass the Bogue with the two frigates under his command (the *Imogene* and *Andromache*) and take up a station at Whampoa, for the more efficient protection of British subjects and their property; and also to send up to Canton a guard of marines for the security of the premises occupied by the Superintendents, and in which was deposited the treasury of the East India Company: accordingly, Lieutenant Reed of the *Andromache*, with two midshipmen, a serjeant, and twelve marines, landed at Canton at 8 o'clock on the morning of the 6th of September.

In consequence of the Edict of the 2nd of September, and of a notice from the Viceroy, promulgated by the Hong merchants on the 5th, stating that orders had been given to the forts and guard-houses, to allow English boats and ships to go out of port only, and not to allow them to enter it, Lord Napier addressed to Mr. Boyd, Secretary to the Chamber of Commerce, the following letter, for the purpose of its being communicated to the Hong merchants and the Chinese authorities :—

"Sir, *Canton, September* 8, 1834.

"Whereas Mr. Morrison has laid before me the translation of an Edict of the 2nd September, issued by Loo, Governor of Canton and Kwangse, and Ke, Fooyuen [*Lieutenant Governor*] of the province of Canton, wherein, among other things, it is stated, that, on examination of the rules of the celestial Empire, they find, that 'Ministers have no outward intercourse with outside barbarians, and that it cannot be known whether Lord Napier is a merchant or an officer.' I beg to acquaint you, for the information of the said Hong merchants, and Loo and Ke, that, during the last 200 years, a constant personal intercourse has been maintained between the Viceroy of Canton and the British subjects resorting hither: for example, in the year 1637, on the part of Captain Weddel, after destroying the fort at the Bogue; in 1731, on the part of the Supracargoes of the East India Company; in 1742, on the part of Commodore Anson; in 1754, on the part of the Supracargoes; in 1792, on the part of a Committee from England; in 1795, on the part of the Supracargoes; in 1805, on the part of Mr. Roberts and Sir George Staunton; in 1806, on the part of Mr. Roberts, and again on the part of Mr. Drummond and Mr. Elphinston; 1814, on the part of Sir George Staunton; in 1816, on the part of Sir Charles Metcalfe and Captain Clavell; and on many other occasions by the Chiefs of the Factory, on their annual return from Macao to Canton. So far, therefore, the allegation of the said Loo and Ke is not founded in fact.

"Again, that they know not whether Lord Napier is an officer or a merchant, is equally false; for the Kwang-chow-foo and the Chaou-chow-foo and the Kwang-chow-hee waited on Lord Napier, when they saw him in the uniform of Captain in the British Navy; and when they might have assured themselves of this fact, as well as of all others connected with his Mission to China, had they carried his letter to the Viceroy, or had his Excellency given him the same reception as had been usually accorded to others.

"And whereas it is further stated in the said Edict, that the trade was stopped by request of the Hong merchants on the 16th of last month, but, that he, the Viceroy, replied to them, 'commanding to give temporary indulgence and delay;' which command was issued on the 18th day of last month, and was never obeyed by the Hong merchants: and whereas, in the present Edict of the 2nd instant, it is now declared by Loo and Ke, that from the 16th day of August all buying and selling on the part of the English nation is wholly put a stop to, with the exception of all goods the sale or purchase of which was settled previously to the stoppage: and whereas, in full reliance on the honour of the Viceroy, and the authority of the Edict 'commanding temporary indulgence and delay,' British merchants have transacted considerable business with the merchants of China between the 18th of last month and the 2nd of the present, and in the face of that Edict, and in forgetfulness of 'his command to grant indulgence and delay,' the Viceroy now joins with the Foo-yuen in the very unjust measure of stopping the trade altogether from the 16th of last month, to the great prejudice not only of the British merchants, but of that also of the subjects of His

Imperial Majesty the Emperor of China:—I do hereby, in the name of His Britannic Majesty, protest against this act of unprecedented tyranny and injustice thus decreed by the Viceroy and Foo-yuen. And whereas notice has been taken in the said Edict of the 2nd instant, of the expected arrival of the ships from England with cargoes, to be given in exchange for teas and other merchandize; and whereas, all merchandize is allowed to be embarked up to the 16th ultimo, and ought in justice to be extended to the 2nd instant; and as the permission to embark such merchandize implies the delivering of inward cargoes for such purpose; and still the trade is wholly put a stop to which prevents the delivery of such cargoes, and the embarkation of the merchandize already so permitted to be shipped:—I hereby again protest, in the name of His Britannic Majesty, against this absurd and tyrannical assumption of power on the part of the Governor and Lieutenant-Governor.

"And whereas by a letter of the Hong merchants of September 6th, giving notice 'that the Governor has ordered all forts and guard-houses, that the English boats and ships are only allowed to go out of port and are not allowed to enter;' and that such a proposition is altogether at variance with the other Edict permitting a certain part of the trade to be embarked. I have to request that you will hereby give notice to the Hong merchants, that it is a very serious offence to fire upon or otherwise insult the British flag: and whereas they are already aware that there are two frigates now in the river, bearing very heavy guns, for the express purpose of protecting the British trade, I would warn the Hong merchants again and again, that if any disagreeable consequences shall ensue from the said Edicts, they themselves, with the Governor and Lieutenant-Governor, are responsible for the whole. I recommend them to take warning in time;—they have opened the preliminaries of war;—they destroy trade, and they incur loss of life on the part of the unoffending people, rather than grant to me the same courtesy which has been granted to others before me. They are all aware that the King my master sent me here in consequence of Howqua's advice to Governor Le; and, therefore, why do they vainly contend against their own actions, to the destruction of trade and the misery of thousands?

"But let the Governor or Lieutenant-Governor know this, that I will lose no time in sending this true statement to His Imperial Majesty the Emperor at Pekin; and that I will also report to his justice and indignation the false and treacherous conduct of Loo, Governor, and of the present Kwang Chow Foo, who have tortured the Linguists, and cruelly imprisoned a respectable individual, Sun-ching, a security merchant, for not having acquiesced in a base lie, purporting that I arrived in Canton river in a merchant ship; whereas they are both aware that I made my passage, and arrived in one of the ships of war now at anchor in the river. His Imperial Majesty will not permit such folly, wickedness, and cruelty as they have been guilty of, since my arrival here, to go unpunished; therefore tremble Governor Loo, intensely tremble!

"And again, Governor Loo has the assurance to state in the Edict of the 2nd, as well as on former occasions, that the 'King my master has hitherto been reverently obedient.' I must now request you to declare to him, that His Majesty the King of Great Britain is a great and a powerful monarch,—that he rules over an extent of territory in the four quarters of the world, more comprehensive in space, and infinitely more so in wealth, than the whole Empire of China,—that he commands armies of bold and fierce soldiers, who have conquered wherever they went,—and that he is possessed of great ships of war, carrying even as many as 120 guns, which pass quietly along the seas, where no native of China has ever yet dared to show his face. Let the Governor then judge if such a monarch 'will be reverently obedient to any one.'

"And now, I beg you to inform the Hong merchants, knowing their duplicity, I suspect that they will not communicate the foregoing to the Governor and Lieutenant-Governor; I would therefore give them warning, that if I do not receive an answer from his Excellency, touching the points narrated in this letter, by this day week, Monday the 15th, I will publish it through the streets and circulate copies among the people, one of which may peradventure find its way into his Excellency's presence.

"I beg to remain, &c.,
"(Signed) NAPIER."

This letter having been brought to the knowledge of the Viceroy by the Hong merchants, drew forth from his Excellency the following Edict:

" Loo, Governor of the provinces Kwangtung and Kwangse, &c.

" To the Hong merchants, requiring their full acquaintance with the contents hereof.

" In everything relating to the trade of the English barbarians at Canton, there have long been established rules. There has never been such a thing as a residence here of a barbarian officer or Superintendent. The great ministers of the Celestial Empire, unless with regard to affairs of going to Court and carrying tribute, or in consequence of Imperial commands, are not permitted to have interviews with outside barbarians. The affairs of the former Ming dynasty, (Captain Weddell's affair) need not be brought into discussion. How have any officers of the great Tsing dynasty had intercourse to and fro with barbarians? As to the intercourse between barbarian officers and those who have formerly held the office of Governor, in the years of Keenlung and Keaking [from 1736 to 1820], referred to in the paper copied by the said merchants, perhaps when the said nation has sent tribute there may have been interviews given to the tribute-bearers; otherwise there certainly has not been this ceremony. This even the said nation's private merchants must all be aware of. I the Governor have been obedient, maintaining the national dignity: from the first I have not been commencing what is strange or sounding forth my loftiness.

" In the tenth year of Taoukwang, the said [Hong] merchants having reported, that the English Company would, after the thirteenth year of Taoukwang, be dissolved and ended; that the merchants of the said nation would trade for themselves; and that they feared affairs would be under no general controul, the then Governor, Le, commanded them to enjoin orders on the said nation's merchants to send a letter home; that if the Company ended and dispersed, a chief [Taepan] should still be appointed to come to Canton to manage affairs. The books of records are still existing. There is no word of a Superintendent. The said barbarian Eye, Lord Napier, styles himself a Superintendent come to Canton. Whether a Superintendent should be appointed over the said nation's barbarian merchants, or not, it is in itself needless to inquire about minutely. But we Chinese will still manage through the medium of merchants. There can be no alteration made for officers to manage. Besides, the business is one newly commencing. It is incumbent to present a memorial requesting the mandate of the Great Empire to be obeyed and acted on. The said barbarian Eye, Lord Napier, brought not any written communication from the said Nation's King. Suddenly he came,—I, the Governor, knew not what man he was,—knew not what business he was to transact. I sent the said merchants to inquire and to investigate, and to require him to inform them of the causes of his coming, and what was the nature of the business he was to perform, in order to afford grounds for a full memorial. In what was this not accordant with reason? Even though the said barbarian Eye were indeed an officer, why should he communicate to the merchants of the Central flowery [nation] not a word! If unwilling to converse with the said merchants, still, what should prevent him from commanding the said nation's private merchants, to revolve the matter with them and inform them fully? But on four successive occasions, when they inquired and investigated, he remained, as though he heard not, determined in the wish to have official correspondence, and letters to and fro with all the public officers of the inner land. The said nation and this inner land, have heretofore had no interchange of official communications and letters. Nor in the Celestial Empire is there this rule. How could I, the Governor, in opposition to rules, permit it?

" The said Hong merchants had before solicited that a stop should be put to the said nation's buying and selling. I, the Governor, because the said nation had had an open market here for upwards of a hundred years, and because the said Nation's King had several times sent tribute,—so that I could not but call him reverently obedient; but still more, because the said nation's separate merchants had, many of them, crossed the seas and come from a distance, —so that I would not for the fault of one man involve the mercantile multitude; therefore, replied, commanding an indulgent delay. Again, apprehending that the said merchants, in enjoining the orders, had not attained perfect clearness, I also sent officers to proceed to the barbarian factories, and personally make

enquiry. On the part of me, the Governor, it was the utmost, the extreme, of careful regard and perfect kindness. But the said barbarian Eye, even in the presence of deputed officers, did not speak plainly of the object of his mission. Still, apprehending that their words might not be truly delivered, I commanded them to take with them Linguists and proceed thither. When the flowery [Chinese] and barbarians have oral intercourse, Linguists interpret what is said. Throughout the empire it is in all cases thus. Yet, neither would the said barbarian Eye have the Linguists to interpret for him, so that the deputed officers could not say everything.

"Since the said barbarian Eye, having come for the purpose of examining and directing trade, did not tell clearly the object of his mission; whether, after the Company was dissolved affairs should be conducted as before or not; or how they should be conducted; by what means could trade be carried on? I could not but, according to law, close the ships' holds. That I, the Governor, did it not willingly, but with extreme pain of mind, has been already clearly explained in the Proclamation. The said Hong merchants having orally stated, that they had taken full account of the goods, the purchase of which was settled before the 12th of last moon [*i.e.* the 16th August], and had wholly stopped, not having since had any commercial dealings, I, therefore, ordered the stoppage from the day of the said merchants' petition. It was in no way a former and a latter,—two modes of acting. I, the Governor, six times successively issued Official replies, all in conformity with the old established regulations; I in no way forced into difficulties, nor did I thrust forward my own notions; neither did I by a single word rudely reprehend the said barbarian Eye. The replies have all been printed and publicly displayed. All eyes may see them. Even the said Nation's King, if he see them, cannot say that I, the Governor, have not spoken what is reasonable.

"The said barbarian Eye has not learned to arouse from his previous errors, but has further called to him many persons, bringing in boats military weapons which have been moved into the barbarian factory.—A great opposition to the laws and prohibitions! Into the important territory of the provincial city, how can outside barbarians presume to bring military weapons causing alarm to the inhabitants? I, therefore, commanded the fort named Leetih, that should any sampan boats proceed towards the city, they should be stopped; and should be authoritatively informed, that if the said barbarian vessels perversely opposed and disobeyed, the military would of course fire off the guns, which would be but what their own offences would bring on them. Yet several times when barbarian merchants were stopped, they were at once sent back to the place whence they came, without being brought to investigation and punishment. Thus it may be seen that I, the Governor, have not tyrannically treated the outside barbarians. Even with regard to the said barbarian Eye, when, instance upon instance, he has presumed on force and power, what difficulty would there be in my meeting him with military terrors? But I cannot bear forcibly to drive him out. The Celestial Empire cherishes those from afar virtuously. What it values is the subjection of men by reason: it esteems not awing them by force. The said barbarian Eye has now again opposed the laws, in commanding the ships of war to push forward into the inner river; and in allowing the barbarian forces to fire guns, attacking and wounding our soldiers, and alarming our resident people. This is still more out of the bounds of reason, and renders it still more unintelligible what it is he wishes to do.

"The soldiers and horses of the Celestial Empire, its thundering forces, with guns and weapons, gather on the hills. If it were desired to make a great display of conquering chastisement, how could the petty trifling war ships afford protection? Besides, all the merchants trading here I, the Governor, treat most liberally: what need is there of protection? By such ignorant and absurd conduct, entering far into the important territory he is already within my grasp. Arrangements have been now made to assemble a large force, ranged out both by sea and land. What difficulty will there be in immediately destroying and eradicating? Therefore that I am slow, dilatory, and cannot bear to do so is, because I consider that such movements are not according to the wishes of the said Nation's King; nor are they according to the wishes of the several merchants. I, the Governor, looking up, embody the heaven-like benevolence of the Great Emperor. Only by reforming his errors can he avoid cutting himself off, and attain reformation. If the said barbarian Eye will speedily

speedily repent of his errors, withdraws the ships of war, and remain obedient to the old rules, I will yet give him some slight indulgence. If he still adhere to stupidity, and do not arouse, maintain his wickedness, and do not change, he will be sinning against the Great Emperor; and I, the Governor, will certainly find it difficult again to display endurance and forbearance. I apprehend that when the Celestial troops once come, even precious stones will burn up before them. On no account defer repentance till afterwards.

"Uniting circumstances, I issue this order. When the order reaches the said Hong merchants, let them immediately act in obedience to it, and enjoin it on all the English merchants, with even temper discussing it. If, hereafter, things come to a rupture, do not say that I, the Governor, caused it by my errors. Let them also enjoin the orders on the said barbarian Eye; and let them write a letter back to the country, to cause it to be known. A Special Order.

"Taoukwang, 14th year, 8th moon, 9th day. (September 11, 1834.)"

All negotiations, with a view to the opening of the trade unaccompanied by the condition that Lord Napier should quit Canton, having failed, his Lordship felt convinced that any further attempts on his part to effect this unconditional object would be vain; and that a continuance of the stoppage of the trade would cause great injury to the interests of the British merchants. Under these circumstances, his Lordship considered it his duty to comply with the Viceroy's stipulation that he should retire to Macao, and by so doing admit of the trade being opened; and he therefore determined on the 14th of September to remove the Commission temporarily to Macao.

Lord Napier having become greatly indisposed in health, Mr. Colledge, the surgeon to the Establishment, decided that it was necessary that his Lordship should at once quit Canton; the requisite arrangements were accordingly made, through Mr. Colledge and the Hong merchants, for his Lordship and suite repairing to Macao, by the inner passages, in Chinese passage-boats.

On the 21st of September, Lord Napier addressed a letter to Captain Blackwood, stating that, in consequence of an understanding come to with the Chinese authorities, His Majesty's ships *Imogene* and *Andromache* were no longer required at Whampoa; and requesting him immediately to proceed with both ships to the anchorage at Lintin: adding, that the Chinese authorities had provided for the conveyance of himself and suite to Macao. On the evening of the same day, his Lordship and suite embarked for Macao, accompanied by a numerous escort of Chinese boats and Mandarins. On the morning of the 26th, the party arrived at Macao, his Lordship's illness having been greatly aggravated by the heat of the weather, and the annoyances and insults to which he was exposed during the whole course of the passage. It would appear that the voyage to Macao was protracted for the purpose of giving the Chinese the opportunity of prolonging their insulting cruelties: his Lordship died at Macao, about ten o'clock on the evening of the 11th of October 1834.*]

No. 15.

J. H. Astell, Esq., Secretary, to John Backhouse, Esq.—(Received February 8, 1835.)

Sir, *Macao, September 28, 1834.*

THE serious and continued indisposition of the Right Honourable the Chief Superintendent rendering it impossible for his Lordship to address His Majesty's Government by the present opportunity, I have briefly to state the causes which have led to the Commission being, for the present, withdrawn from Canton; though not until every endeavour had been exhausted to overcome the continued obstinacy

[* One reason subsequently assigned for this detention, which was principally at a place called Heang-Shan, was, in order that the Chinese escort should have time for ascertaining that the frigates had passed the Bocca Tigris on their passage outwards.]

obstinacy of the Viceroy, in insisting on his retirement to this place, and refusing to open his letter of announcement.

The Local Government were duly reminded of the Edict of 1831; by which the late Governor, Le, required that a properly constituted authority should be appointed on the expiration of the Company's Charter; but the Viceroy persisted in declaring (to use his own language) "that the said barbarian Eye, Lord Napier, brought not any written announcement from the said nation's King—suddenly he came. I, the Governor, knew not what man he was, or what business he was to transact." He accordingly persisted in the requisition with which he had at first set out, the withdrawal of the Commission, to Macao.

Not contented with their earlier acts of annoyance and indignity whether of a personal nature, as the unnecessary breaking open of Lord Napier's baggage, and the seizure of the compradores, or purveyors of provisions; or the more serious and public injury inflicted by the stoppage of the trade, the Local Government were emboldened, on the 4th instant, to proceed so far as to beset the residence of the Chief Superintendent with a large number of soldiers, to drive away his Lordship's native servants, and to cut off all supplies of provisions. Under these circumstances, accompanied by the denial to sanction or make good any commercial transactions, involving British property, subsequent to the 16th of August, the Right Honourable the Chief Superintendent deemed it necessary, on the 5th instant, to apply to Captain Blackwood, by letter, for a guard of marines, for the protection of the factory; and to request that officer, at the same time, to proceed with His Majesty's ships *Imogene* and *Andromache*, to the anchorage of the trade at Whampoa, for the greater security of British property and persons.

The frigates found no difficulty in effecting their passage through the Bogue, though not without silencing the fire of the Chinese forts by their own, after having received several rounds of shot without returning one, as in the case of the *Alceste* in 1816.

On the arrival of His Majesty's ships at Whampoa, the communication between that place and Canton was entirely closed by the Chinese, for all purposes of commerce or otherwise; and a negotiation commenced, in which the local Government required the withdrawal of the frigates from the anchorage of the merchant ships, and the retirement of Lord Napier from Canton, previous to the resumption of commercial dealings. His Lordship was, therefore, induced on the 15th instant, to address a letter to the British merchants, in which he informed them, that having thus far, without effect, used every effort to establish His Majesty's Commission at Canton, he did not feel authorized at present, by a continued maintenance of his claims, to occasion the further interruption of the trade of the port. Captain Blackwood was accordingly requested to proceed with His Majesty's ships to Lintin; and Lord Napier and suite embarked in two chop-boats, for Macao, on the 21st instant.

The trade of Whampoa, which was closed at the instigation of the Hong merchants, is expected to resume its usual course in a few days, after the official forms attendant on the arrival of a new Hoppo at Canton have been passed.

I have, &c.,

(Signed) J. H. ASTELL,
Secretary.

No. 16.

The Agents of the East India Company in China, to the Honourable the Court of Directors in London.—(Communicated to the Foreign Office, March 3, 1835.)

Honourable Sirs, *Macao, September 29, 1834.*

WE avail ourselves of the departure of the brig *Belhaven* to acquaint your Honourable Court with the present termination of the differences between His Majesty's Superintendents and the Chinese Government, by which the trade has been suspended from the 16th of August to the present date.

2. It is out of our power to present your Honourable Court with a detail of the occurrences, correspondence, &c., which has led to the event in question, owing to our documents being at Canton, from whence we are unable to transact any business, all communication with the shipping at Whampoa, or elsewhere, being cut off by the strict surveillance of the Chinese Government; and our servants, as well as Chinese of every profession, being forbidden access to our factory on pain of death: we will, however, give a brief narrative of events.

3. Shortly after the arrival of the Chief Superintendent at Canton, he endeavoured to open communication with the Chinese Government by letter; and in order to avoid the intervention of the Hong merchants, the letter in question was presented at the gates by parties deputed for that purpose: the letter was refused to be accepted by the Chinese for the twofold reasons, that it was not termed a *Petition*, and for an alleged informality in the external address to the Viceroy.

4. The Hong merchants almost immediately waited on Lord Napier, and endeavoured to become the official channel of communication between him and the Viceroy, as heretofore; and the Viceroy about the same time published an Edict, stating that there ought to be no change in this particular; and the Kwang Chow Foo, attended by the Chaou Chow Foo and Kwang Heep, visited Lord Napier, with a request to know on what business he visited China. This he declined to answer; referring those officers to his unopened letter to the Viceroy, stating, that if that were received, his Excellency would be therein informed of the purpose of his visit to China. The meeting shortly broke up by a refusal on the part of Lord Napier to admit the Hong merchants as official negociators between him and the Viceroy, and with a promise on the part of these mandarins to visit his Lordship again.

5. The Viceroy shortly after this published an Edict, stating the intention of the Government to adhere to its ancient customs with foreigners; and that as Lord Napier had not brought any credential letters from his own Government to that of China, designating his office and the purpose of his visit, the Viceroy could not receive a letter from him, save through the Hong merchants, the usual channel of communication on matters appertaining to trade, which alone he understood Lord Napier was come to superintend; further, that as it was a thing hitherto unknown for an official foreign mandarin to reside at Canton, he required Lord Napier to return to Macao, until the will of the Emperor should be known from Peking, as to the recognition or otherwise of his Lordship, in his office of Superintendent of Trade.

6. The Chief Superintendent then published a manifesto in the Chinese language, of the position of his negotiation with the officers of Government, to be appended to the walls of the streets, and for general circulation. He therein stated that he was come for the regulation of the British Trade to China; and being of a rank similar to the Viceroy, that he desired to communicate directly through him, but that this was refused, and his letter returned. This manifesto was published pending the expected visit of the three Chinese officers; and is understood to have indisposed those officers to renew their communication: negotiation was, however, on foot, to conduct their meeting through the Chinese Linguists, and to dispense as much as possible with the officers of the Interpreter to the Superintendents; as well as a claim on the part of the Kwang Chow Foo, to be seated on an equality

with Lord Napier: these points were refused by his Lordship, and the effect of these combined circumstances prevented any further visit of the Chinese officers to the British Factory.

7. On the 16th of August, an official announcement was made by the Viceroy, that, owing to Lord Napier's determination not to abide by the Viceroy's requisition for him to return to Macao, until the Emperor's reply to his communication had been received, the Hong merchants had recommended the suspension of British commerce; but that he, the Viceroy, would not definitively adopt such advice, in the hope that Lord Napier would cease to act in opposition to the orders which had hitherto guided foreign commercial intercourse with the Chinese; and that he would quit Canton for the present, as urged previously to do by the Viceroy.

8. No further change having occurred, the Viceroy on the 2nd of September officially announced all trade to be at an end between the Chinese and British Subjects; ordered away all Chinese from the factories; and commenced placing a cordon of troops and boats to cut off every means of communication from Canton; ordered the Chinese not to supply Lord Napier, nor his factory, with provisions; and adopted every means, short of acts of violence, to induce and urge Lord Napier to obey his order to proceed to Macao for the present.

9. Lord Napier immediately requested from His Majesty's frigates, *Imogene* and *Andromache*, then at Chumpee, a body of marines for his protection; and, although in his Circular on the subject his Lordship stated, that one of the causes of the requisition was for the protection of the Honourable Company's Treasury, we wish your Honourable Court to understand that we were quite ignorant of his Lordship's purpose; and under no apprehension whatever for the safety of the Treasury; and which, in fact, did not contain as much money as many private treasuries in Canton.*

10. Sir George Robinson was sent from Canton to require His Majesty's frigates to pass the Bogue, which they did on the 8th instant; and to proceed to Whampoa, where they anchored on the 11th instant. The Bogue forts, and that on Tiger Island, resisted the passage of the frigates, and the latter fort is stated to have conducted the fire with great steadiness: one sailor was killed on each of the frigates, but what the loss of life has been on the part of the Chinese it is difficult to ascertain. The Chief Superintendent stated the cause of the frigates being ordered to Whampoa, to be for the protection of the trade, observing, that although the Viceroy had published the intention of the Chinese Government to permit British subjects to have the advantage of all the property bought or sold before the 16th of August, when the Hong merchants first announced the trade to be suspended, nevertheless, as it was not officially stopped before the 2nd of September, that all engagements between those two dates should be ratified.

11. It does not appear that the passage of the frigates through the Bogue, and their arrival at Whampoa, produced the expected effect on the Chinese Government; they do not appear to have made any change in their propositions;, and were only so far intimidated as to strengthen the defences in every possible way to prevent the passage of the frigates' boats to Canton: and a negotiation being on foot between the Hong merchants and a British house of business in the confidence of Lord Napier, the Chinese officers adhered to the terms of Lord Napier's departure for Macao, and the frigates for Chumpee, being necessary preliminaries before the suspension of the trade would be taken off: to which effect the Viceroy published a proclamation on the evening of the 13th.

12. On the evening of the 14th, the Chief Superintendent published a Circular to the British merchants, stating that, as the opening of the trade depended on his returning to Macao, and as the difference between the Viceroy and himself was of a personal nature, disconnected with the operation of

[* Memorandum: Foreign Office, February, 1840.—It is well known that considerable alarm *did* exist with regard to the private treasuries; and that arrangements were actually made for the conveyance of one of them to Macao, as a place of security. But it is very possible that the Agents of the East India Company did not feel the same degree of apprehension on this occasion as the private merchants did, whose mercantile interests were perhaps more intimately connected with a successful termination of Lord Napier's mission to Canton than those of the Company's Agents.]

of commerce, he requested that the cutter *Louisa* should be sent to Canton from Whampoa, to enable his Lordship to leave Canton immediately.

13. After some negotiation, with the particulars of which we are unacquainted, the Chinese Government acceded to the request made to them on account of the state of health of Lord Napier, that he should proceed to Macao, by the inner passage in a chop boat, where he arrived on the 26th September, and the trade is hourly expected to be resumed.

14. By an early opportunity we will forward to your Honourable Court all the official and other correspondence which has occurred, pending the dispute in question; we are unable to do so by the present despatch, but as ships, sailing from here in November, will offer a speedy conveyance, the delay will not be of long continuation.

15. Under the circumstances occurring in Canton, we were unwilling, indeed from the absence of the Chinese from the factory unable, to continue to receive cash into our treasury, but we shall re-open it immediately on the resumption of business; at the present moment the amount in the treasury is 321,677,299 dollars.

16. Mr. Thomas Charles Smith arrived at Macao, on the 10th of September, by the ship *Hythe*, and took his seat as Second Member of the Honourable Company's Agency in China, according to the instructions of the Honourable Court to that effect.

17. Since writing the former part of this letter, the suspension has been withdrawn from the trade; and it is understood that the commercial proceedings will be conducted as usual, without further obstacles on the part of the Chinese Government, arising from the recent misunderstandings.

We have, &c.
(Signed) J. DANIEL.
T. C. SMITH.
J. JACKSON.

No. 17.

J. H. Astell, Esq., Secretary, to John Backhouse, Esq.—(Received March 14, 1835).

Sir, *Macao, October 3, 1834.*

IN reference to my letter from this place, under date the 28th ultimo, I am directed by His Majesty's Superintendents to acquaint you, for the information of His Majesty's Government, that the anticipation therein expressed has been realised by the re-opening of the trade at Canton on the 29th ultimo.

I have, &c.
(Signed) J. H. ASTELL,
Secretary.

No. 18.

J. F. Davis, Esq., Chief Superintendent, to Viscount Palmerston.—(Received February 23, 1835.

My Lord, *Macao, October 12, 1834.*

IT has become my painful task to announce to you the decease, on the 11th instant, of the Right Honourable Lord Napier, His Majesty's Chief Superintendent. His Lordship's health had suffered some deterioration from the change of climate on the passage out; but the fever which terminated his life was brought on by the heat and confinement of Canton, in the discharge of his duties; aggravated, it is to be feared, by the harassing and distressing annoyances which he experienced there from the Chinese, as well as by the unnecessary delay interposed on his passage down to Macao.

Letters addressed, during Lord Napier's illness, to Mr. Under-Secretary Backhouse, and bearing date the 28th ultimo and 3d instant, will already have apprised your Lordship that the trade at Whampoa had been re-opened by the Chinese, on the retirement of the late Chief Superintendent to Macao. The Viceroy persisted thus far in the course with which he first commenced, viz., the denial of the official character of Lord Napier, for the reasons stated in his Edicts, and the refusal to open any letter from him which was not superscribed as a *Petition*, or to acquiesce in his residence at Canton.

In the posture of affairs which has supervened, on the unfortunate event of Lord Napier's decease, it will no doubt appear plainly to your Lordship, as it does to myself, that during the actual progress of the trade of His Majesty's subjects in this country, and pending the reference home, it is the bounden duty of this Commission most cautiously to abstain from any measures which may unnecessarily interrupt the present continuance of those commercial transactions with which such important interests are connected.

In the absence of any advances on the part of the Chinese, a state of absolute silence and quiescence on our part seems the most eligible course, until further instructions shall be received from home. At the same time, that this line of procedure hazards nothing, and that the business of the shipping goes on, it may occasion to the Local Government a feeling of uncertainty and suspense as to the future, calculated to draw from them some advances which might be turned to good account.

The translation of an Edict from the Local Government relative to the two frigates has just been received, and deserves particular notice. It is the same in every respect as the documents always put forth against the stay of foreign vessels of war on the coast. While, however, it narrates every other movement of the two ships from their first arrival, it is remarkable that their passage of the forts, and their proceeding to Whampoa, are entirely suppressed.

It is satisfactory to state, that some delay which had occurred in granting licenses to native pilots for conducting newly-arrived ships up the river, has just ceased, and that all vessels can proceed to Whampoa, as formerly.

I have, &c.

(Signed) J. F. DAVIS,
Chief Superintendent.

No. 19.

J. F. Davis, Esq., to Viscount Palmerston.—(*Received April* 6, 1835.)

My Lord, *Macao, October* 28, 1834.

SINCE the date of my last communication, nothing has occurred to interrupt the regular and quiet progress of the British trade at Canton and Lintin.

On the 16th instant I obtained the copy of a report from the Local Government to Peking, relative to the circumstances connected with Lord Napier's retirement from Canton, a translation of which is recorded on the proceedings. The passage of the river's entrance by His Majesty's ships, altogether suppressed in a previous document already noticed, is there mentioned, but hinted very slightly, and represented as a mere mistake; and, though it is stated that the fire from the forts was returned, the effect of the fire is made to appear quite trivial. The rest of the paper is in the same strain of misrepresentation.

A rumour, which I have fair grounds for believing, although as yet unsubstantiated in writing, states that the Viceroy has lost several steps in rank, and that he is recalled from office on account of the late proceedings at Canton. What is the precise nature of the charges against him I cannot as yet ascertain, though it has been stated generally that his punishment was for "deceiving the Emperor." Any correct information on this important point I shall

I shall not omit to forward to your Lordship, as soon as obtained, since it may materially influence the proceedings of His Majesty's Government in regard to an appeal to Peking, or otherwise.

I will only observe, with reference to such an appeal, that should a measure of the kind be determined on, not through a cumbrous and expensive Embassy, with its attendant difficulties of ceremonies, but simply by means of a despatch to the mouth of the Peking river; it might be recommended by such reasons as the following. First, that no fact is better authenticated than the general ignorance in which the Local Government keeps the Court, in regard to the Canton trade, and its treatment of Europeans; secondly, that Chinese principles sanction and invite appeals against the conduct of the distant delegates of the Emperor; thirdly, that a reference of the kind was so successful in 1759, as to occasion the removal of a Chief Commissioner of Customs at Canton, though made by only a subordinate officer of the East India Company.

Whatever may be the line of proceeding finally adopted by His Majesty's Government, I have already stated my conviction that during the progress of the commercial transactions of individuals, and awaiting the arrival of further instructions from England, this Commission has no other course to pursue, than that of absolute silence; unless, in the probable event very soon to be determined, of such spontaneous advances being made by the Chinese Government, as might admit of the re-commencement of negotiations.

That such an event is not probable, I should surmise, from the circumstances of edicts having been issued by the Local Authorities (though as yet I have not obtained copies), confirming the first prohibition against the residence of the King's Commission at Canton; and the Company's Agents here have thereupon been requested by the Hong merchants not to sublet any portion of their factory to the Superintendents during the continuation of their lease. It is, moreover, desired that a Commercial Agent, called by the Chinese, a Taepan, should be sent to Canton, and not a King's officer.

I have, &c.
(Signed) J. F. DAVIS,
Chief Superintendent.

No. 20.

Captain Elliot, Secretary, to John Backhouse, Esq.—(*Received March* 12, 1835.)

(Extract.) *Macao, November* 1, 1834.

I AM directed by the Chief Superintendent, to inclose the copy of a despatch addressed by him to the Right Honourable the Governor General, on the 28th ultimo, describing the actual state of public circumstances at this place, and submitting some general suggestions, with relation to his own intentions.

Inclosure in No. 20.

J. F. Davis, Esq., to Lord William Bentinck, Governor General of India.

My Lord, *Macao, October* 24, 1834.

THE copies of my despatches to the address of Viscount Palmerston, under date the 12th and 13th instant, already forwarded to Calcutta, will have apprised your Lordship of the melancholy event of Lord Napier's decease, after having exhausted every endeavour to establish his Commission at Canton.

The trade, which was re-opened immediately on his Lordship's retirement to Macao, is prosecuted by British subjects as usual; and I make no doubt of the extreme desire of the local authorities to avert by its continuance, as far as lies in their own power, any unpleasant consequences which they may apprehend from their rejection of the new British authorities.

I have seen the copy of a report forwarded by the Canton government to Pekin, abounding in more than the usual share of misrepresentation common to Chinese documents. The entrance of the river by His Majesty's ships *Imogene* and *Andromache*, on Lord Napier's requisition, is ascribed to ignorance on the part of their commanders, and the effect of their fire on the Chinese forts, when compelled to silence them, is confined to the "shaking of some rafters and tiles."

At the same time, that the local authorities have evinced their desire to continue the trade, it is my duty to state, that I have no expectation of any voluntary advances from them towards the recognition of His Majesty's Commission. The government of foreigners, through the medium of the Hong merchants, is a system too valuable to the Canton officers, in diminishing their responsibility, and enabling them to practise their heavy exactions with impunity, to be readily abandoned by them; nor does there seem any chance of bettering the condition of the English trade in this respect, unless His Majesty's Government deem it expedient to adopt measures of coercion, in the event of the previous, and more eligible course of a reasonable appeal to Pekin, by the Yellow Sea, having been found to fail.

I was informed by Lord Napier soon after his arrival, that any communication with, or reference to, Pekin, was strictly forbidden by his instructions, without authority from home; and this has been confirmed by a perusal of his Lordship's papers subsequent to his decease. The season of the year, indeed, now precludes the adoption of such a course, a great deal earlier than the date at which replies might reasonably be expected from England; and with regard to any measures of a coercive nature towards the local government (the policy and justice of which, except on the failure of an appeal to Pekin, might be questionable), I feel persuaded, by the tenor of your Lordship's correspondence on the occasion of the Select Committee's reference to India, in 1831, that no steps of this nature would be adopted by your Lordship, except in the event of the commerce being suspended.

Under these circumstances, and during the uninterrupted progress of the trade, it is clear to me that the duty of this Commission is to abstain from all uninvited approaches towards an intercourse with the government, and to observe a perfect silence pending the references home. A few weeks more will ensure the arrival of replies from Pekin, and determine the conduct of the local government towards the Commission. No available opening would be neglected by me; and I would in such case, with the possibility of being useful, defer for another year my departure from China, notwithstanding my notice given in July last, and my engagement with the Company. On the other hand, should it, as I anticipate, appear certain that nothing remains to be done but to allow the trade to proceed as usual, until His Majesty's Government shall have formed its ultimate decision, I may feel that I can be of more use in going home according to my original notice and intention, while the Commission is filled up *ad interim* according to His Majesty's standing instructions to that effect.

I have, &c.
(Signed) J. F. DAVIS.

No. 21.

J. F. Davis, Esq., to Viscount Palmerston.—(*Received March* 12, 1835.)

My Lord, *Macao, November* 2, 1834.

I HAVE the honour to inclose copies of two edicts from the Viceroy, or Governor, of Canton, in which the English merchants are called upon to elect a Taepan (the term applied to the late Company's Chief), to controul the English shipping, and prevent the smuggling system at Lintin, where nearly forty vessels are now anchored. They are besides directed to write home for a Taepan, who is to be a merchant, and not a King's officer. The object is of course

course to keep the controul of the English in the hands of the Hong merchants, a system by which the local authorities lighten their own responsibility, and are enabled to practise their exactions on the trade with the greater impunity.

I have, &c.,
(Signed) J. F. DAVIS,
Chief Superintendent.

Inclosure 1 in No. 21.

Edict of the Governor of Canton, addressed to the Hong Merchants.

October 19, 1834.

LOO, Governor of Kwangtung and Kwangse, &c.

To the Hong merchants, requiring their full acquaintance with the contents hereof.

In the trade of the English barbarians to Canton, the responsibility of transacting all commercial affairs has hitherto rested on the said nation's Taepan. This year the Company has been terminated and dispersed; and without any other appointment of a Taepan having been made, a barbarian eye (Lord Napier) came to Canton, saying that he came for the purpose of examining into the affairs of trade. I, the Governor, commanded the merchants to inquire and investigate. The said barbarian eye did not obey the old regulations, but was throughout perversely obstinate. Now the assistant Foo, magistrate of Macao, has reported that Lord Napier has expired at Macao, in consequence of illness. For all affairs of trade it is requisite and necessary to choose a person as head and director, that there may be some one to sustain the responsibility. The merchants have already been before commanded to examine and deliberate, but have not yet made any report in answer. Uniting the circumstances, this order is issued. When the order reaches the said merchants, let them immediately obey, and act accordingly; and instantly make known to all the separate merchants of the said nation, that they are in a general body, to examine and deliberate, what person ought to be made the head for directing the said nation's trade, and forthwith to report in answer. Thereafter the responsibility of conducting public affairs shall rest on the barbarian merchant who becomes head and director.

At the same time, cause the said barbarian merchants immediately to send a letter home to their country, calling for the immediate appointment of another Taepan, to come to Canton, in order to direct and manage. In the Celestial Empire, responsibility in the management of commercial affairs, &c., is laid upon the Hong merchants. It is requisite that the said nation should also select a commercial man, acquainted with affairs, to come hither. It is unnecessary again to appoint a barbarian eye or Superintendent, thereby causing hindrances and impediments.

Let the said Hong merchants take also the circumstances of their enjoining these orders, and report in answer, for thorough investigation to be made. Oppose not. These are the orders.

Taoukwang, 14th year, 9th moon, 17th day. (October 19, 1834.)

Inclosure 2 in No. 21.

Reply of the Governor of Canton to a Report made by the Hong Merchants.

LOO, Governor of Kwangtung and Kwangse, &c., in reply.

On examination, it appears, that with regard to the trade of the English barbarians at Canton, in all public affairs, I, the Governor, with the Superintendent of Customs at Canton, have always made the said Senior merchants responsible for enjoining orders on the Taepan for him to act. Now the Company has terminated and is dissolved, and the said nation's barbarian merchants

come hither to trade, each for himself. If some other Taepan be not appointed, all affairs will become scattered, out of order, and without arrangement; just as is the case with the barbarian ships now anchored in the offing of Maton, which neither come up to Whampoa to trade, nor yet get under weigh. And the said nation's sampan vessels presume of themselves to sail in and out, not submitting to examination. And when ordered to inquire and investigate, the Hong merchants make excuses of ignorance. What state of things is this?

With respect to the barbarian merchants, whether they have or have not a directing head, is a point that in itself needs no great inquiry into. But we, of the Central flower (or civilized) nation, always, in all matters of the outside barbarians that relate to public affairs, make the said Senior merchants above responsible. If the said merchants have any matter of a public nature, on what person then shall they enjoin orders to act? or shall they go to the extent of quietly leaving the matter disregarded?

When I, the Governor, commanded to decide respecting a person to be a directing head, it was with consideration as to the said Senior merchants transacting public affairs; it was not at all with regard to the barbarians buying and selling. What the said merchants have reported, is wholly with respect to the bartering of goods; there is no regard shown to public affairs. This is, indeed, a great misunderstanding. Let them again consult and deliberate with their whole minds, and report in answer. And, at the same time, let them act in obedience to the other order, and make known to the said nation's separate merchants, that they are immediately, with haste, to send a letter home to their country, calling for the renewed appointment of a commercial man acquainted with affairs, to come to Canton and sustain the duties of Taepan, to direct buying and selling, and to restrain and controul all the merchants. Specially, do not again cause a barbarian eye to come hither to controul affairs, thereby occasioning, as Lord Napier did, the creation of disturbances, in vain. All nations trading at Canton, do so in consequence of the good favour of the Celestial Empire towards men from afar. It is altogether necessary that they should obey, and act accordingly to the old rules; then may there be mutual tranquillity.

Taoukwang, 14th year, 9th moon, 18th day. (October 20, 1834.)

No. 22.

J. F. Davis, Esq., to Viscount Palmerston.— (*Received March* 12, 1835.)

My Lord, *Macao, November* 5, 1834.

HAVING been requested to submit to His Majesty's Government the closed printed statement, I have the honour to forward the same, and remain, &c.

(signed) J. F. DAVIS.

Inclosure in No. 22.

Statement of Objections to the continuance in China of a part of the East India Company's Factory, for the purpose of selling bills on India, and purchasing bills on England, by making advances on the goods and merchandize of individuals intended for consignment to England.

THE British Chamber of Commerce of Canton being strongly impressed with a conviction of the injurious consequences to the mercantile interests of their country, that must accrue from the East India Company continuing to maintain

maintain a part of their factory in China, for the purpose of carrying on dealings in the sale and purchase of bills of exchange, feel called on to make a public declaration of their sentiments on the subject.

It is with deference submitted that this procedure of the East India Company is an infraction of the Act, 3rd and 4th William IV. cap. 85, which declares that they "consented that their right to trade for their own profit, in common with other His Majesty's subjects, be suspended," and enacts accordingly that they shall "abstain from all commercial business which shall not be incident to the closing of their actual concerns, &c., or which shall not be carried on for the purposes of the said government;" which concluding exception, it may be inferred, was designed to legalize their trading in those cases where it may be necessary for realizing Indian revenue, but not their applying that revenue to commercial purposes after being realized. It may undoubtedly, be argued that the purposes of the Company are promoted by the ultimate object of their dealings here, in transferring to London their surplus revenue; yet, as ample facilities exist for the direct accomplishment of this, by the Court of Directors drawing on the Indian governments, as well as by these latter remitting bills drawn on London against shipments of Indian produce; it is presumed that the Legislature cannot have intended to sanction so wide a departure from the principle of the Act as the trafficking without necessity, in the sale and purchase of bills, in a foreign country; the true object of which is, not merely to remit, but to make a profit in excess of the direct and natural rate of exchange; a latitude of action, which, if allowed, would authorize any species of trading, equally with that in exchanges, for the sake of a better remittance.

The twofold operation, carried on by the Company's factory here, of selling one description of bills in order to buy others, [which falls under the legal definition of trading,] is so opposite in its nature to the single and allowable object of drawing in London upon India, or buying bills for remittance from India to London, as to merit particular advertence.

In India, the facility of obtaining money on shipments to London, arising from the Company's extensive purchases of bills, tends to increase the demand for, and support the prices of, the productions of British territories. But a similar facility, resulting from their dealings here, by acting as a powerful incentive to improvident speculation, tends to raise the prices of Chinese produce, and thus to benefit a foreign country at the expense of the British consumer: while, in an equal degree, the productions of our Indian territories are deprived of that stimulus which they would receive from the same operations carried on there.

On the other hand, the Court of Directors' bills on India, offered for sale in London, afford a means for the employment of individual capital, in place of counteracting it by the competition of Indian revenue; and may, therefore, be considered a still more appropriate mode of transferring this revenue to England.

In throwing open the China trade to the whole British nation, the Legislature cannot surely have intended to abridge this right, by permitting the East India Company to shut out the British mercantile capital, which must necessarily be excluded from it, to the extent that they may occupy the field with the revenues of India; and should the Company's dealings here, with the immense revenues of India at their command, be sanctioned by the Legislature, there is nothing to prevent the amount being, in future, almost indefinitely increased beyond the 600,000 *l.* which they propose employing in the present year.

But the mere circumstance of the Rulers of India having any participation whatever in the supply of funds to the China trade, is, of itself, calculated to deter the British capitalist from adventuring in a competition where his rivals are sovereigns, whose situation exempts them from subjection to those principles by which purely mercantile operations are universally guided, and which experience has shown to be so indispensable to the well-being of every trade, that widespread ruin is, sooner or later, the certain result, whenever they are disregarded.

The Rulers of India thus deterring by their overwhelming competition, and, to the extent of their dealings here, entirely excluding the British capitalist from embarking in the trade, it is rendered, in a great measure, dependent on the Company, who, regulating the annual amount of their commercial business

by their convenience or caprice, become, in a certain degree, the arbiters of the merchant's proceedings at every stage, from the price he has to pay for his tea, its qualities and quantities, to the rate of exchange of the dollar, and even the rate of freight; all contingent on the amount of capital supplied by the Company, which being previously unknown to the free trader, he is effectually precluded from any satisfactory calculation respecting his future plans.

By permitting the revenues of India to be employed in the purchase of China produce, not only are its prices enhanced, but a most serious barrier is interposed to the extension of the trade in British manufactures, which is always greatly promoted by transactions in barter; the necessities of the Chinese seller often forcing him to seek relief, by taking in exchange British goods, which are otherwise unsaleable, and for which a market is thus, as it were, created. How much is the inducement to this description of business lessened, when the Chinese merchant has the means of obtaining from the Company's factory, two-thirds of the value of his goods, and the chance of the English market, through the East India Company as his agents!

It does not appear whether the Company's factory are authorized to make advances on consignments to the British outports; but, if not, the circumstance will form an additional strong ground of objection to a plan which, in such case, will exclude the great majority of the British nation, who are out of the verge of the metropolis, from a due participation in the China trade.

To the merchants and agents of Great Britain it may be left to express their sentiments respecting the proposal of the Court of Directors to act as consignees in London for parties receiving their advances; a proposal which, liberally seconded here, may, if permitted, attract to the Honourable Court no small portion of the agency of the China trade.

Finally, it is submitted, that in this very peculiar country, where the bulk of foreign trade is restricted to eleven Hong merchants, who are also the only medium of our intercourse with the Government, so large a command of capital in the hands of the Company's factory, is susceptible of becoming a most powerful engine of influence, both commercial and political; in the former view, bringing with it, through an understanding with the Hongs, as close a monopoly of the most desirable teas as ever before existed; a monopoly less pure, because occult, and not controlled by Act of Parliament; in a political view, continuing the existence of an influential body, whom the Chinese have been accustomed to regard as paramount here, and whose readier access to the Hong merchants, from habit and old acquaintance, may, at any time, afford the means of counteracting His Majesty's Representative.

JARDINE, MATHESON, & Co.
JA. INNES.
ARTHUR SAUNDERS KEATING.
N. CROOKE.
JOHN TEMPLETON & Co.
R. TURNER & Co.
J. McA. GLADSTONE.
J. WATSON.
WM. SPROTT BOYD.
ANDREW JOHNSTONE.

British Chamber of Commerce,
Canton, Oct. 9, 1834.

No. 23.

Memorandum by the Duke of Wellington.

March 24, 1835.

THE despatches and proceedings of the Commission of Superintendents in China, have given us all the information that we can acquire, up to the end of October, 1834; and as it is quite obvious, from the reports and proceedings, that the attempt made to force upon the Chinese authorities at Canton, an unaccustomed mode of communication with an authority, with whose powers and of whose nature they had no knowledge, which commenced its proceedings by an assumption of power hitherto unadmitted, had completely failed; and as it is obvious that such an attempt must invariably fail, and lead again to national disgrace; and as it appears that, as soon as Lord Napier had withdrawn from Canton to Macao, the trade had been opened, that pilots had been allowed to take British ships up the river to Whampoa, and that the trade was flourishing as ever when the accounts came away; it appears that the time is come when the Cabinet may take into consideration the means of managing and regulating this affair in future.

It is quite obvious, that the pretext for the jealousy of Lord Napier and his Commission, stated by the Chinese, was his high-sounding titles; the reality, was his pretension to fix himself at Canton, without previous permission, or even communication, and that he should communicate directly with the Viceroy.

It does not much signify, as far as the Chinese are concerned, what we call our officer in our language. He must not go to Canton without their permission. He must not depart from the accustomed mode of communication.

For our own purposes, and for the sake of the trade, he must be a man of naval, military, or official rank and reputation: he must be one in whose firmness and discretion we can rely; and he must have great powers to enable him to controul and keep in order the King's subjects.

By the 5th Clause of the 3rd and 4th William IV., c. 93, the King is enabled to appoint by Commission or Warrant, not exceeding three of his subjects to be Superintendents of the Trade of His Majesty's subjects to and from China, to settle such gradation among the said Superintendents, (one of whom shall be styled the Chief Superintendent,) and to appoint such officers to assist them in the execution of their duty; and to grant such salaries to Superintendents and officers as His Majesty shall, from time to time, deem expedient.

The 6th Clause enables the King to give to the Superintendents, by Order in Council, power and authority over the trade of his subjects in China, to make regulations, by Order in Council, touching the said trade, and for the government of the King's subjects within the said dominions; and to impose penalties and imprisonment for the breach of the same, to be enforced, as specified in the said Order; and to create a Court of Justice, with criminal and admiralty jurisdiction, for the trial of offences, committed by His Majesty's subjects within the said dominions, and the ports and havens thereof, and to appoint one of the Superintendents to be the officer to hold such Court, and other officers for executing the process thereof, and to grant such salaries as to His Majesty shall appear reasonable.

The expense of the establishment formed under the authority of the Act of Parliament, was £18,200. The offices were as follows:

	£
One Chief Superintendent . . .	6,000
One Second Superintendent . .	3,000
One Third Superintendent . . .	2,000
One Secretary and Treasurer . .	1,500
One Chinese Secretary and Interpreter .	1,300
One Chaplain	1,000
One Surgeon	1,500
One Assistant Surgeon	800
One Master Attendant . . .	800
One Clerk of a superior class, to act as Registrar of the Court of Judicature .	300
	£ 18,200

	£
The Master Attendant has been abolished	800
The Assistant Surgeon might possibly be discontinued	800
The Third Superintendent to be discontinued	2,000
The Second Superintendent to receive £2,000 instead of £3,000. Saving .	1,000
	£ 4,600

Total remaining expense £ 13,600.

I see that His Majesty has the power to appoint not exceeding three Superintendents. I would recommend one Chief Superintendent, and one Second Superintendent.

The Act of Parliament enables the King, by Order in Council, to appoint one of the Superintendents to hold the Court. I would recommend that the Second Superintendent should be a gentleman of the legal profession, and that he should be appointed to hold the Court.

According to this mode of proceeding, the whole plan can be carried into execution without altering the Act of Parliament.

It might be expedient to give the succession to the office of Chief Superintendent, by warrant under the Sign Manual, to the Secretary and Treasurer instead of the Second Superintendent, he being a gentleman of the legal profession, upon the death or sudden coming away of the First Superintendent.

If provision should thus be made for really forming a Court, it would be necessary to frame some simple rules of practice, which might be carried into execution without the assistance of gentlemen of the legal profession, who would not be found in the Canton river.

If the Cabinet should be disposed to adopt this plan, I would give immediate directions for the draft of the proposed Order in Council, to make the necessary alterations and arrangements.

Some alterations must likewise be made in the Instructions to the Superintendents under the Royal Sign Manual.

They are instructed to proceed to and reside at the port of Canton.

The port of Canton is described as being within the Bocca Tigris, to which point it is stated that His Majesty's ships are not to go.

The Superintendents therefore are required to go to, and reside at, the place to which the Chinese authorities will not allow them to go, and at which they will not allow them to reside.

This and other matters require alteration.

It will be in the power of the Government hereafter to decide whether any effort shall be made at Pekin, or elsewhere, to improve our relations with China, commercial as well as political. That which we require now is, not to lose the enjoyment of what we have got.

I would recommend, that till the trade has taken its regular peaceable course, particularly considering what has passed recently, there should always be within the Consul General's reach, a stout frigate and a smaller vessel of war.

No. 24.

J. F. Davis, Esq., to Viscount Palmerston.—(*Received April* 6, 1835.)

My Lord, *Macao, November* 11, 1834.

I HAVE now the honour to inclose two additional edicts from the Governor of Canton, resuming the purport of two preceding papers of the 19th and 20th October, already forwarded to your Lordship.

These have all been addressed, through the medium of the Hong merchants, to the principal mercantile houses of Canton, but we believe, have not been

been otherwise noticed than to observe that constituted authorities from the Crown being already here, no individual merchant can assume the office of Chief for British affairs.

If the urgency of these edicts concerning the appointment of a Chief may be viewed as affording (and I conceive that they do afford) a reasonable evidence of the Viceroy's uneasiness and perplexity in the present unsettled state of affairs at Canton, I would not reject the hope that some early advance on the part of the Local Government to the Commission is within the scope of a reasonable probability.

Being duly sensible of the inconveniences that may attend the absence of a British controlling authority from Canton, I will only repeat the expression of my assurance, that this Commission will avail itself gladly of any favourable opening to commence a negotiation with the Local Government. I must, however, state my conviction, that any adjustment ought to take place as the result of a mutual necessity; and that an unbecoming and premature act of submission, on our part, under present circumstances, could not fail to prove a fruitless, if not a mischievous, measure.

An edict has been issued, through the influence of the Hong merchants, against the unlicensed traders, its object being, of course, to strengthen the monopoly of the Hongs. I have the satisfaction to observe that the difficulties of the Viceroy seem to have been increased by this measure. A considerable ferment has been created in the native commercial community; and a species of Trades-unions, composed of numerous bodies of manufacturers and dealers, have combined to molest the Hong merchants, and petition the Government.

A letter just received from a correspondent at Canton, informs me,—"A large body of weavers and workmen proceeded to Mowqua and the other Hongs yesterday, and have to-day gone to the Viceroy's palace."

As the Commission deemed it advisable, under existing circumstances, to issue a notice of a sedative character, to the British Traders at Canton, I inclose the copy of a circular which was sent to the principal mercantile houses on the 10th instant. As there is every probability of its indirectly coming to the knowledge of the Local Government, it has been worded with that view, carefully avoiding any expression that should pledge the Commission, or His Majesty's Government, to any particular course of action, and leaving all things doubtful as to the future. It was deemed advisable to dwell on the impossibility of the private merchants being made a channel for the communication to his Majesty of the wishes of the Chinese Government. British subjects are, at the same time, called upon to conduct their commercial dealings in becoming tranquillity, until some fitting relations shall have been established with the native authorities.

I have, &c.,
(signed) J. F. DAVIS,
Chief Superintendent.

Inclosure 1 in No. 24.

Edict of the Governor of Canton addressed to the Hong Merchants.

LOO, bearing the insignia of the highest rank, degraded from official rank, but temporarily retained in the office of Governor of the provinces Kwangtung and Kwangse, hereditary Kingchaytoowei of the first class, &c., issues this order to the senior Hong merchants, requiring them to enjoin the order on the separate merchants of the English nation, that they may make themselves fully acquainted therewith.

England and the Central flowery Nation, separated from each other by several myriads of miles, have traded at Canton for a hundred and several tens of years. The means by which they have long continued mutually tranquil, have been the good and careful establishment of laws, and the possession of individuals to manage the direction of affairs. The said nation's Company has hitherto appointed a Taepan to have the management of all public affairs. In the 10th year of Taoukwang (1830), the then Governor, Lee, having learned,

that after the 13th year the Company would terminate and be dissolved, commanded the Hong merchants to enjoin orders on the said nation's merchants to send a letter home to their country, to call for the renewed appointment of a Taepan to come to Canton, as is in record. This year the Company has been dissolved, and for a Taepan there is no one. I, the Governor, was just giving orders to the Hong merchants to examine and deliberate, when in the 6th Moon (July), an English barbarian, Lord Napier, calling himself a barbarian eye, came to Canton to examine and manage commercial matters. Without having received a red permit from the Custom-house, suddenly he rushed up into the barbarian factories outside the city, and there resided. I, the Governor, at that time commanded the Hong merchants to inquire and investigate for what he came to Canton, and immediately to state the same clearly, for the purpose of enabling me to make a report requesting the will and mandate of the Great Emperor, that the same might be obeyed and acted on. The said barbarian eye did not at all inform them of the occasion of his mission, but afterwards repaired to the city gate to throw in a private letter. I, the Governor, because the fixed regulations of the Celestial Empire do not admit a private (or clandestine) interchange of letters with outside nations, found it inexpedient to receive it, but commanded that the particulars contained in the letter should be told to the Hong merchants, that they might report the same.

It being the said barbarian eye's first entrance into the Central flowery land, so that he was yet unacquainted with the rules and prohibitions, I took the old established rules and regulations, and commanded the Hong merchants to enjoin commands on him, telling him of the difficulty of opposing the fixed principles of dignity, and the propriety of keeping the old regulations, carefully and minutely explaining to and guiding him, twice and a third time. The said barbarian eye would not obey the perfect laws, but perseveringly desired to have intercourse by official documents and letters, with the civil and military officers of the Central flowery land. But I found on examination, that the said nation has not heretofore had intercourse by official communications with the Central flowery land, and that trade also is not what officers can attend to; that the matter, therefore, is one which positively cannot be brought into operation. The said barbarian eye still obstinately adhering to his own views and notions, the Hong merchants, on account of his disobedience of the laws, petitioned, requesting stoppage of trade. I, the Governor, considered that the said nation's king had repeatedly presented tribute, thereby manifesting a reverential submission to the Celestial Empire, and that all the separate merchants have come from far across the seas, all purposing to fish for gain; also that the rhubarb, tea, &c., of this inner land, are what the said nation absolutely requires, I could not, therefore, bear, on account of the fault of one man, Lord Napier, to cause all the merchants to fail of their gains, and the whole nation to be overwhelmed with sorrow. I further replied, again clearly and perspicuously, commanding the Hong merchants once more to explain to and direct him. And fearing yet that the Hong merchants, in enjoining orders, had failed of clearness and perspicuity, I gave a special appointment to the Cheefoo, (or Civil Chief Magistrate,) a great officer, to proceed, accompanied by the Military Commandant of Kwang Chow Foo, to inquire in person. It may be said that I showed compassion in the highest degree. But the said barbarian eye still did not tell plainly the occasion of his mission, nor would he receive the Linguists as interpreters, so that the officers deputed, had no means of reasoning with and instructing him, and for all the merchants it was difficult to have commercial intercourse. It was unavoidable to close the ships' holds according to law.

At that time, clear orders were issued by proclamation, that if the said barbarian eye would come to a knowledge of repentance of his error, and would obey and keep the old regulations, then might the trade continue as of old. Yet the said barbarian eye did not come to a knowledge of his faults; but, in the first instance, called about him barbarian soldiers, bringing with them guns and muskets up to Canton, and followed up the same by calling on the cruizing ships to push in through the maritime entrance. And when the various forts opened a thundering fire to stop them, the cruizing vessels had the daring presumption to let off their guns, returning resistance, and so shaking and destroying the dwelling-places within the forts; and they sailed on to Whampoa,

in

in the inner river. Instance upon instance they gave of contemptuous trifling, going, indeed, far beyond the bounds of reason.

On examination, I found that the things in which the said cruizing vessels trusted were only guns and fire; while the military bands of the Celestial Empire could gather (densely) as the clouds, and their guns and weapons be collected together (abundantly) as the hills, I, the Governor, sent to assemble naval and military officers, with naval vessels to stop up the passage of the river before and behind, so that the said nation's two cruizing vessels, with 300 or 400 men, having entered far into the important territory, had no way either of advancing or of going out. What difficulty would there have been in immediately sweeping them off completely? It was owing to this, that not having been immediately exterminated, the said barbarian eye did repent of his crimes, and make humble supplication, and thereupon was allowed to obtain a permit to go down to Macao, as well as (for the ships) to retire to the outer seas.

I, the Governor, am fully of opinion that this affair did not proceed from intentions of the said nation's King, and also that it had no concern with the general body of the merchants. Looking upwards, I have embodied the Great Emperor's liberality (expansive) as heaven and earth, which regards all with the same benevolence, cherishes with virtue those from afar, and esteems not the array of force. The matters, as detailed from first to last, in the official replies and edicts, were before printed and published by proclamation, being stuck up in the general thoroughfares. This is what the said separate (British) merchants have all universally known, and universally seen.

Now the opening of the port of the metropolis of Canton to trade is owing to the good favour of the Celestial Empire. The few, mean, petty hundreds of thousands of commercial duties, arising from outside realms, affect not the treasures of the revenue the value of a hair, or a feather's down.

And what the said nation's merchants furnish towards these gains from commerce is committed but by thousands. The said nation's King, in sending Lord Napier hither, assuredly did not command him to create trouble, or to indulge rashness, hastiness, and waywardness. If now there were a person from another country to go to England, and thus occasion commotion, the said nation's King certainly would not bear with him. Were it not for the expansive benevolence and great liberality of the Great Emperor, Lord Napier having failed in the command, and disgraced the country, all the merchants would have had to go back, after labour in vain, with their wealth and property injured and wasted; could they, as at this time, have been all rendered grateful by the enjoyment of pleasure and profit?

It is now reported to me, that Lord Napier has died of sickness at Macao. The said separate merchants have opened their holds, buying and selling; which shows in all the merchants a profound knowledge of the great principles of dignity. It is altogether worthy of praise and esteem. But the ships are many, and the individuals numerous, rendering unavoidable a want of combination, order, and arrangement. It is plain that there should be one or two trustworthy, honest men selected, to have a temporary controul and direction. Thus may there be for all things a responsibility. At the same time, they should immediately, with speed, send a letter to their country, stating, that although the Company is dissolved, yet, as the said nation trades here, it is absolutely requisite that there be a person to have the management of all public affairs; and that a commercial man, thoroughly acquainted with the great principles of dignity, should still be appointed by the said nation, to become a Taepan, and come to Canton to direct and controul. This is an affair of buying and selling; it is not what officers can attend to the management of. In this inner land, the Hong merchants are always held responsible; and so the said nation also positively must select and appoint a trading man. On no account may an official eye be again appointed, to occasion, as Lord Napier did, the creation of trouble and disturbance, in vain, and the involvement of all the merchants, which is detrimental to a right course of things.

Uniting the circumstances, this edict is issued. When the edict reaches the said (Hong) merchants, let them immediately enjoin and make known these orders. Oppose not. A special edict.

14th year of Taoukwang, 9th moon, 21st day. (October 23rd, 1834.)

Inclosure 2 in No. 24.

Edict of the Governor of Canton addressed to the Hong Merchants.

November 6, 1834.

LOO, Secondary Guardian of the Heir-Apparent, bearing insignia of the highest rank, President of the Tribunal of War, Governor of the Provinces Kwangtung and Kwangse, Hereditary King-chay-too-wei of the first class, degraded from official standing, but retained in office, &c., issues this order to the Senior Hong Merchants, to be enjoined on the separate merchants of the English nation, requiring their full acquaintance with the contents thereof.

It is on record, that on the 1st day of the 10th moon in the 14th year of Taoukwang (November 1st), the following Supreme Mandate was respectfully received.

"The English barbarians have an open market in the inner land, but there has hitherto been no interchange of official communications; it is however absolutely requisite, that there should be a person professing general controul, to have the special direction of affairs. Let the said Governor immediately order the Hong merchants to command the said separate merchants, that they send a letter back to their country, calling for the appointment of another person as Taepan to come for the controul and direction of commercial affairs, in accordance with the old regulations. Respect this."

On examination, it appears that whereas the English Company having this year been dissolved and ended, all the separate merchants come to trade at Canton, and affairs are under no general controul; I, the Governor, did issue orders to the said merchants to enjoin orders on the said nation's separate merchants, requiring them to send a letter back to their country, to call for the appointment of another person as Taepan, to come to Canton, to have the controul and direction, as is on record.

Now the above having been respectfully received, I forthwith reverently copy it, and command obedience thereto. When this order reaches the said merchants, let them immediately pay obedience, and enjoin orders on the separate merchants of the English nation, that they respectfully obey the mandate and pleasure of the Great Emperor, immediately sending a letter back to their country to call for the appointment of another person, a commercial man, thoroughly acquainted with the great principles of dignity, to come to Canton and direct commercial affairs, that there may be an undivided responsibility. An official eye must not be again appointed, occasioning, as did Lord Napier, the creation of disturbances, in vain, with the involvement of all the merchants, and with detriment to public affairs. Oppose not. A special order.

14th year of Taoukwang, 10th moon, 4th day. (November 6, 1834.)

Inclosure 3 in No. 24.

Notice to British Subjects in China.

Macao, November 10, 1834.

THE Superintendents have during the last few weeks devoted their serious consideration to the state in which past occurrences have placed His Majesty's Commission in China, and think it due to the British Community to afford to them the following succinct statement of their views on the subject.

Any determination in regard to the future, which it may seem fit to His Majesty in his wisdom to adopt, the Superintendents will not presume to anticipate. It has been their duty humbly to submit a full detail of all the events which have transpired since the arrival of the Commission in China, and this they have faithfully performed. It is proper to add, that in accordance with instructions

instructions under the Royal Sign Manual, a transcript of the same report has been forwarded in duplicate to his Excellency the Right Honourable the Governor-General of India.

Adverting then to the situation in which His Majesty's servants have been placed by the denial of the Canton Government to acknowledge their public character, or admit them to official communication, they cannot but regret the inconveniences which may result to both English and Chinese from so strange and anomalous a state of affairs. It is manifest, that under these circumstances, no channel exists for the conveyance, in an authentic shape, of any expression of the views or wishes of the Chinese Government to His Majesty's knowledge. The local authorities, after having from the very first arrival of the Commission on their shores, persisted in rejecting the only legitimate means of communication, have no reasonable ground of complaint, should their requisitions remain unanswered.

The Superintendents are led to make the preceding reflections in consequence of its having come to their knowledge that several papers have been addressed to the private merchants at Canton, purporting to emanate from the Local Government, and containing matter which it is desired may be submitted to His Majesty's knowledge. After making every allowance for the strangeness of the Chinese to external relations, it is difficult to believe that the Canton authorities, who constantly profess to act in conformity to reasonable principles, should have voluntarily placed themselves in so false a position. To judge by mere intrinsic evidence, it might be fairly inferred that the particular papers alluded to were not authentic. Any other conclusion would involve the extravagant belief that the high officers of the Chinese Government, enlightened men, and practised in the proprieties of public business, would place themselves in the helpless position of attempting to convey the wishes of their own Sovereign to His Majesty the King of England through the incongruous medium of commercial correspondence. Such a course would be at variance with all sound principles of dignity, and a departure from every dictate of reason. It would be to derogate from the majesty of their own Sovereign, and to expose themselves to the certainty of preventing their communications from receiving the slightest degree of attention.

Under present circumstances, the Superintendents must at once declare that they cannot see the least occasion to open communications with the local authorities. However much they might have deemed it their duty, if suitably approached, to forward a decorous communication to His Majesty's Government, they must repeat that in the actual state of things they consider themselves bound to await in perfect silence the final determination of the King.

Pending this interval, the Superintendents have to submit some few suggestions to His Majesty's subjects resident in China, and they do so in a spirit of serious earnestness, and with the conviction that the vast importance of the subject will insure to their remarks the most attentive consideration. They formally counsel and enjoin the King's subjects, each in his own place, and by all the influence of his example, to avoid or prevent the chance of affording a plausible ground of complaint to the Chinese, and to refrain, as much as possible, from allusions to the past, or anticipations with regard to the future. In fine, to impress the Local Government and the people, by the deliberate reserve of their conduct, with a proper sense of the confidence reposed in our Sovereign's wisdom to conceive and power to execute any measures which may be deemed necessary for the establishment of all things on a sure and permanent foundation.

If any well founded complaint against the conduct of the Chinese authorities towards British subjects should arise, the Superintendents trust that it will be preferred to them, and that the decision, as to the best course to be pursued, will be remitted to their judgment. They deem it superfluous to insist upon their desire to give to such questions the most anxious consideration; and to provide the most suitable way to a remedy.

The Superintendents will only observe, in conclusion, that these suggestions with regard to the procedure of British subjects under existing circumstances, have by no means been made because they apprehend that the advice may be practically necessary, but rather to draw attention to the subject, with a view

to inducing such a temperate and judicious course of conduct during the interval of the reference to the Supreme Powers, as shall ensure the most prosperous results.

By order of the Superintendents,
(Signed) CHARLES ELLIOT,
Secretary.

No. 25.

Captain Elliot to J. Backhouse, Esq.—(Received April 6, 1835.)

(Extract.) *Macao, November 17, 1834.*

I AM desired by the Superintendents to transmit a document recently procured, containing the Imperial answers to the communications forwarded to Peking by the Local Government, announcing the forcing of the Bocca Tigris Passage by His Majesty's ships, in the month of September last.

Inclosure 1 in No. 25.

Edict of the Governor of Canton, containing the Imperial Answers respecting British intercourse and the arrival of Lord Napier at Canton.

I, THE Governor, on the 13th day of the 8th moon, in the 14th year of Taoukwang (September 15), united with Tsang, the Commander-in-Chief of the land forces, together with your Excellency the Fooyuen and Chung the Hoppo, in forwarding, by the post conveyance, a duly prepared report of the English ships of war having sailed into, and anchored in the inner river,—of precautionary measures having been taken against them,—and of those who guarded (the port) with such remissness,—with the officers who had neglected their guard, having been severely degraded, and subjected to inquiry. Now, on the 17th day of the 9th month (October 19th), the following reply in vermilion has arrived:—

" It seems that all the forts have been erected in vain; they cannot beat back two barbarian ships;—it is ridiculous—detestable. If the military operations be reduced to such a state as this, it is not surprising that the barbarians regard them slightingly. My further pleasure shall be given. Respect this."

On the same day was received an express from the Tribunal of War, forwarding the following Supreme Mandate, received by the Cabinet on the 3rd day of the 9th moon, in the 14th year of Taoukwang (October 5th).

" This day it is authenticated, that Loo and his colleagues have sent a report by post, of the English ships of war having broke into the inner river, and of their having dispatched forces to drive them out.

" On this occasion, the English barbarian eye, Lord Napier, having come to Canton to trade, did not obey the laws. The said barbarian ships of war, two in number, with 300 and some tens of men, having anchored in the outer seas, the said Governor did, during the 6th moon, forward a communication to the Naval Commander-in-Chief, Le, for the appointment of a Tsantseang, Kaou-e-yung, to proceed to the maritime entrance, and maintain a preventive guard; and for directions to be given to the officers of the Admiral's own division, to command and maintain a strict and close look-out on the forts. And, after the said Governor and colleagues had, according to laws, closed the ships' holds, he again sent a communication for a preventive guard to be maintained, that the barbarian ships might not be permitted to enter the port. But, after all, they were so remiss in keeping up guard, that the said ships of war, on the 5th day of the 8th moon (September 7th), taking advantage of the flood-tide, broke in through the maritime entrance; and when the military of the several forts opened a thundering fire on them, the said barbarian ships let off their guns, attacking them in return, and passed on. On the 9th, they arrived at Whampoa reach, at a distance of 60 lee from the city, and there anchored. The said Governor and colleagues have now appointed a nava force with severity to drive them out.

" Kaow-e-yung,

"Kaow-e-yung, Tsantseang of the Admiral of Kwangtung's own division, having been sent in the 6th moon to maintain a preventive guard at the maritime entrance, his presuming to suffer the said barbarian force to sail into the inner river, was extremely negligent. As to his assertion, that the barbarian ships took advantage of the tide, and sailed in with the wind, so that they could not be stayed or hindered, it is difficult to insure that it has not been his purpose to embellish and gloss over the thing. Let Kaow-e-yung be, in the first instance, degraded from his rank, and made to bear the Cangue before all men, at the maritime entrance. And further, let the said Governor ascertain clearly if he be guilty of the offence of having, with contemptuous waywardness, glossed the matter over; and if so, let him immediately, with severity, forward accusation against him, awaiting the officers who kept the forts with such carelessness and neglect, since there were additional men appointed to aid in keeping them, be all, in the first instance, subjected to wear the Cangue, in all the forts publicly, as a warning. At the same time, let inquiry be made respecting the circumstances of their neglect and wayward indulgence, and let accusation be also preferred against them.

"With regard to Le, the Naval Commander-in-Chief, the maritime guard is under his especial care; but the said barbarian ships broke in through the entrance, and all the forts and military in charge of them could not beat back two barbarian vessels. It is indeed deserving of most bitter detestation! It seems that all the forts have been erected in vain. If the operations of war be reduced to such a state as this, what is it that the said Commander-in-Chief is daily attending to? Lee has at present, on account of illness, preferred a request for relaxation. He is certainly unworthy of employment. Let him, in the first instance, be degraded from his rank; and after the affair is settled, my further pleasure and decree shall be made public.

"Loo, Governor of the two Kwang provinces, having stated that, in the 6th moon, he sent communications and held consultations concerning the adoption of preventive measures, the affair is not to be compared with one unanticipated, to which the land cannot be at once applied. He ought certainly to have selected and appointed vigorous individuals to make preparations and maintain a strict guard. How comes it that the said barbarian ships were suffered to enter the river, and could not be prevented or kept back? It arises from the said Governor's want of plans and lack of valour. The blame he cannot cast off. He has injured the Majesty of the nation, and has greatly failed of the duties of his ministry. Let Loo be deprived of the title, Guardian of the Heir-apparent; let his two-eyed peacock's feather be plucked out; and let him, in the first instance, be degraded from his official standing, but temporarily retained in the office of Governor of the two Kwang provinces; that, bearing his offences upon him, he may direct the arrangement (of this affair). Should he truly arrange it speedily, and end it with security and propriety, he may yet receive some little indulgence and slight diminution of his sentence. If he continue to involve himself in errors, and cause future misfortunes, he must be acted with according to martial law, without admission of any indulgence. Tremble fearfully hereat. Be attentive hereto. Respect this."

On the same day was also received a letter from the great ministers of the Council, addressed to Ha, General Commandant of the city garrison; Loo, Governor of the two Kwang provinces; and Ke, Fooyuen, announcing the issue, on the 3rd day of the 9th moon, in the 14th year of Taoukwang, of the following supreme mandate.

"Loo and his colleagues have sent a report, by a speedy post conveyance, of the English barbarian ships having broke into the inner river, and of forces having been despatched to drive them out. My decree and pleasure have already been plainly delivered, directing the several punishments of the said Governor and others.

"On this occasion, the English ships of war having anchored in the outer seas, during the 6th moon of the present year, Loo did send communications to the Naval Commander-in-Chief Lee, calling for a strict and close preventive guard. Had, indeed, a preventive guard been kept with fidelity and vigour, how could the inner river have been broken into? But on the 5th day of the 8th moon (September 7th), the said barbarian ships of war, taking advantage of the flood-tide, broke in through the maritime entrance; and when all the military opened a thundering fire upon them, they had the presumption to let

off their guns, returning resistance. And, after the passage of the forts at the Bogue, and on Kwangtung had been forced, they, on the 7th, passed straight on by the Tiger Island fort; and, on the 9th, arrived at Whampoa reach, distant sixty lee from the city, and there anchored. It seems that all the forts have been erected in vain; they cannot beat back two barbarian ships; it is ridiculous!—detestable! If the military operations be reduced to such a state as this, it is not surprising that the outside barbarians regard them slightingly.

"Now the said Governor and colleagues report that they have set apart twelve large vessels, and having filled each of them with a thousand peculs of large stones, have sunk them crosswise;—that in the water, they have had large cables stretched across; and that they have further had wooden spars laid on the surface of the water, to stop up the passage by water to the city. Also, that they have appointed two large war vessels of the Admiral's own division, and six large vessels, the main squadron, with twenty-two river cruizing vessels, from the various stations of the districts Sin-hwuy and Shun-tih, with men and military munitions, to keep up a strict cruizing-guard. They have further appointed 300 troops from the Governor's own regiments, 300 from the Fooyuen's own regiments, 700 from the Commander-in-Chief's division of army, and 300 able-bodied men from the district militia, to prepare guns and musketry on either shore, in order to guard the land-passages. To the Ta-hwang-haon branch of the river, they have sent Tsantseang Loo, Peih-yuen, with above twenty cruizing boats, to obstruct the passage there; and wooden spars have also been used to stop up the river. Likewise, on the river opposite, wooden palisades were set up; and the Toosze Hung-fa-ko has been sent, at the head of 500 veteran troops of the Governor's own, and with a naval force of 100 men, to move thither portable guns, and also large guns, calculated even to rend hills and cause terror afar off. Of these men, 150 have been placed in charge of the fort, and 350 encamped without, in readiness to come up to their aid.

"Loo, fearing that the Macao barbarians, the Portuguese, might be enticed over by the English barbarians, despatched the Footseäng Tsin-yu-chang, with a civil officer, to command them plainly, and to spread themselves about, and also to keep watch over all things, that no evils of remissness might arise. The said Portuguese barbarians manifested, in a high degree, reverential submission, and were excited to express their willingness to keep guard themselves. These arrangements were exceedingly proper.

"Further, in a supplementary report, it is stated, that at this time the passage before (the ships of war) is completely stopped up in two places, and behind them also, at Chang-chow-kang (near second bar) large stones have been quarried and made ready, and 300 troops of the 'brave and pure' Regiment have been sent, under command of the Yew-keih Wang-luh, to maintain guard; that, as soon as the war vessels from Kee-shih and other places, have entered the river, the stones may be immediately used to block up the river within. The said barbarian vessels will then have no passage for going out. . . . . They have further prepared a hundred and some tens of vessels, large and small, in which have been secretly concealed saltpetre, sulphur, fire wood, straw, and other combustibles, for the purpose of an attack by fire.

"The English barbarians are of a violent and overbearing disposition, and they cherish plans great and deep. This has long been the case. On this occasion, the barbarian vessels are only two in number, and the foreign sailors do not exceed 300 or 400 men. If, indeed, the passages for advancing and retreating be both cut off, 'the beast will then be taken—the fish caught;' what difficulty can there be in making a clear sweep in a moment? The said barbarian eye, Lord Napier, having stated that he came to Canton to trade,—why, when the ships' holds had been closed, did he craftily think to carry it with a high hand, and go to the daring extreme of having the inner river broken into, and of having guns fired, returning resistance? He went, indeed, far out of the bounds of reason. It is to be apprehended that there are yet other ships, staying at a distance, ready to bring in aid to him. It is very requisite to inquire fully with sincerity and earnestly, taking into view the whole field (of action,—literally, the whole class board).

"When the said Governor and his Colleagues receive this my pleasure, they are required immediately, and with full purpose of heart, to meet for consultation,

consultation, and arrange the business securely and speedily. When once the said barbarian eye is brought under, his schemes exhausted, and his power isolated, so that he bows his head and confesses his faults, a slight trifling indulgence may then be extended to him. . . . . Immediately direct the Hong merchants to explain to him the evil consequences (of his conduct), to reprove his presuming to use guns and fire, and also to demand of him the cause of his having come to Canton. If he still continue obstinately blinded, and do not arouse, but remain perverse as before, let then the said Governor and his Colleagues arrange and direct the military operations, and set in motion the machinery of expulsion and destruction. It is absolutely requisite to make the said barbarian eye tremble and quake before the Celestial Majesty, and penitently arouse to reverential submission. Should the said Governor and his Colleagues continue their former negligence, and stir up great misfortunes, I, the Emperor, will know only how to maintain the laws. If disturbances be occasioned, there shall decidedly be no chance left of indulgent favour. Tremble hereat. Be attentive hereto. Let this be forwarded by a despatch travelling 500 lee (daily), and let all the commands herein contained be made known. Respect this." . . . . .

In obedience to the supreme pleasure, we, (the Ministers of the Council) forward the same.

All the above having come before me, the Governor, I have examined, and find that the barbarian eye, Lord Napier, has already been driven out under guard, and that the ships of war, also, retired on the same day to the outer seas, as we have already jointly reported. Copies of the several reports have been forwarded to you.

With regard to the careless guard officers, the acting Tsantseäng of the admiral's central division, Tsan-fei-yang has, before this, brought up to Canton the Tsiëntsung Le-hung-tae, and other officers, ten in number; and they have been sent to the Anchasze of Kwangtung, that, in conjunction with the Porchingsze, he may try them by torture, to ascertain if they were guilty of illicit connection (with foreigners), and of purposed connivance in order that they may be severally decided respecting, and dealt with. This is on record.

Now, having respectfully received the above, I send a communication, requesting that Kaou-e-yung may be brought to Canton to be tried and dealt with; and I also send directions to the Poochingsze and Anchasze, that they, in conjunction with the Yum-yun-sze, may pay respectful obedience, and act accordingly. I also direct them to bring up the Tseintsung Le-heang-tae, and the others for immediate trial, that decisions may be passed severally on them, and that they may be dealt with accordingly, without either the least precipitancy or delay. Besides this, I send, as is right, a communication to you. For this purpose, I unite the circumstances, and send this communication to your Excellency, that you may inquire the supreme pleasure, in order respectfully to obey it, act according to it, and put it in operation.

No. 26.

J. F. Davis, Esq., to Viscount Palmerston.—(Received April 10, 1835.)

My Lord, *Macao, November* 18, 1834.

I HAVE the honour to inclose herewith the translation of a report to Peking, from the Local Government, which has been obtained through native agency, and which contains some admissions which were probably not intended to reach Europeans. It is observable that the revenue derived from English trade, though professed to be held lightly, is still declared therein to demand care for its preservation; and great reliance is placed on the love of gain by which the foreigners are said to be distinguished.

It is also remarked, that the utmost care must be taken to avoid "a bloody rupture" with the Europeans, who, though otherwise unadvanced, excel in the knowledge of "guns and fire-arms:" and the Emperor himself, in a paper already forwarded, holds the Viceroy strictly responsible for any mischief which may arise.

The English merchants at Canton, having been advised by the Viceroy, to elect for themselves "a trading Taepan," who should be responsible to the Local Government for the acts of his countrymen, returned a reply on the 10th instant, which is recorded on our proceedings. They therein state that no authority of the kind could be held by any person without the sanction of the Crown, by whose appointment, officers had been already nominated to Canton. No further observation has yet come from the Viceroy, and the trade proceeds as usual. The proceedings against the unlicensed dealers are gradually relaxing.

I have, &c.,
(Signed) J. F. DAVIS,
Chief Superintendent.

P.S. The joint edict of the Viceroy and Hoppo, upon the subject of the unlicensed dealers, has just been translated, and is herewith forwarded.

Inclosure 1 in No. 26.

Secret Memorial from the Officers of the Local Government of Canton to the Emperor.

FURTHER, on the subject of the English nation's trade with Kwangtung. The said nation has hitherto had an establishment called Kung-pan-ya (office for public management, or Company, from Portuguese Companha), for directing the buying and selling of the whole country; it was also named Kungsze (public managing body). The said Company (Kungsze) appointed chief, second, third, and fourth Supracargoes to come to Canton, for the general direction of commercial affairs, and for a restraining controul over the barbarian merchants. In the 10th year of Taoukwang (1830), the Hong merchants reported, that in the 13th year, the period of the said nation's Company would be accomplished, and the said nation's barbarians would each trade for himself. Fearing that affairs would be under no general controul, the former Governor, your Majesty's Minister, Lee, commanded the Hong merchants to enjoin orders on the Taepan (Chief Supracargo), to send a letter home to his country, (to the effect) that, if the Company were indeed dissolved, it was directed that a Taepan, acquainted with the affairs, should still be directed to come to Canton, to controul and direct the trade.

This year, I, your Majesty's Minister, Loo, with the Superintendent of Customs, Chung, having ascertained that the said nation's Company was dissolved, commanded the Hong merchants to deliberate well on the subject, as it was imperative that affairs should be made subject to some undivided responsibility, in order that they might not be totally without combination, order, and arrangement.

In the 6th moon, an English ship of war brought to Canton a barbarian eye, Lord Napier, one individual who said that he came to Canton for the purpose of examining into and directing commercial affairs. He brought with him a family, females and young children, five in all, whom he settled at Macao. The ship of war, which was ascertained to have a crew of 190 persons, anchored in the outer sea; and the said barbarian eye changed his vessel, and came up to reside in the barbarian factories outside the city. I, your Majesty's Minister, Loo, having received reports hereof from the civil and military district officers, immediately addressed a communication to the Naval Commander-in-chief, for him to station vessels to cruize about and keep guard at the Bogue and other places. I also gave orders to the men and officers in the forts, to keep up a strict and close preventive guard, not to permit the said ships of war to enter the port, or the foreign females to come up to Canton. I also commanded the Hong merchants Woo-tung-yuen (Howqua), to investigate why the said barbarian eye had come to Canton; that if it were because it was requisite—the Company being dissolved and at an end—to establish fresh regulations of trade, he should immediately inform the said Hong merchants, that they might present a report, and so enable me to make a complete memorial, reverently awaiting

awaiting (your Majesty's) mandate and pleasure, to which obedience should then be directed.

The said barbarian eye would not receive the Hong merchants, but afterwards repaired to the outside of the city, to present a letter to me, your Majesty's Minister, Loo. On the face of the envelope, the forms and style of equality were used; and there were absurdly written the characters Ta-ying Rwo, "Great English nation," (for Great Britain). Examining at that time, it appeared, that in keeping apart the central and the outside (people), what is of the highest importance is a maintenance of dignity and sovereignty. Whether the said barbarian eye has or has not official rank, there are no means of thoroughly ascertaining, But though he be an officer of the said nation, he yet cannot write letters on equality with the frontier officers of the Celestial Empire. As the thing concerned the national dignity, it was inexpedient to allow a tendency of any approach or advance, by which lightness of esteem may be occasioned. Accordingly, orders were given to Han-shaou-Ring, the Footseäng in command of the military forces of Kwang Chow Foo, to tell him authoritatively, that, by the statutes and enactments of the Celestial Empire, there has never been intercourse by letters with outside barbarians, that commercial matters should be petitioned respecting, through the medium of the Hong merchants, and that it is not permitted to offer or present letters.

Again, considering that he was stupid and unpolished, coming from without the bounds of civilization, and that, it being his first entrance into the Central flowery land, he was yet unacquainted with the rules and prohibitions, it appeared undoubtedly right, first to explain to him and guide him, to enable him to know what he was to obey and act in compliance with. I, Loo, selected and made an arrangement of the rules and orders, established by reports, at various periods (to the throne), for the regulation of the trade of barbarians; and commanded the Hong merchants to enjoin the same, pointing out, and guiding him in, the way; and also to inform him that outside barbarians possess an open market at Canton, only because of the good favour of the sacred Empire towards (the dwellers on) the sea-coasts; but that in no way are the mean, petty, commercial duties regarded as of importance; that the said nation has traded here for beyond a hundred and some tens of years, and for all affairs there are old regulations; and that since the said barbarian eye has come for commercial purposes, he should at once obey and keep the regulations; but if he do not so, he shall then not be permitted to trade at Canton. First and last, on four several occasions, were clear orders given.

Afterwards the said merchants reported in answer, that the said barbarian eye would not obey the orders enjoined by them, but averred that he is an officer and Superintendent of the barbarians, not one with whom Taepans can be compared; and that hereafter all affairs ought to be transacted by official communications to and fro with the various public officers; for that orders cannot, as formerly, be enjoined through the medium of Hong merchants, nor can he offer petitions, but can only write official letters, and give them to officers to transmit. The said merchants replied, that heretofore there had been no such mode of conducting affairs. But the said barbarian eye continuing obstinate and perverse, without altering, they requested that an embargo should be put on the said buying and selling. The said barbarian eye, Lord Napier, has repeatedly been perverse and stubborn, and indeed extremely obstinate; but having considered that the said nation's king has heretofore been always reverently submissive, and that the said merchants are still quiet and peaceful: that if, for the error of one man, Lord Napier, all the ships' holds should be closed, they cannot but be overwhelmed with grief. I (Your Majesty's Minister, Loo), therefore, looked upward to embody my August Sovereign's liberality, (extensive) as heaven and earth, which beholds with the same benevolence the central and the outside people, and stoops to treat with compassion. I accordingly replied, clearly and perspicuously, to the said merchants, that commercial affairs of outside barbarians have hitherto been under the management of Hong merchants, and there has never been an officer to direct and controul; that England has heretofore had no interchange of official communications with the Central flowery land, and therefore what the said barbarian says cannot be permitted to be brought into operation. Also that the ships' holds should be properly closed; but that temporary indulgence and delay are given from tender compassion towards all the separate merchants. Write these particulars: they

were also commanded to make clearly known (to Lord Napier), that if he repented, aroused, and became reverently submissive, trade should continue as usual; but that if he again offered opposition, and continued perverse, the ships' holds should be immediately closed. It was hoped that, by the truth and sincerity of reason, his brute-like fierceness and overbearing might be reformed; so that, if only the great principles of dignity were not hurt, it would be unnecessary to make any severe requisition. But the said barbarian eye, when the merchants enjoined orders on him, remained as if he heard not; and when the said merchants copied out the words of my official reply, and gave the copy to him, he laid it down and would not peruse it.

Further, the naval Tsantseäng, Kaou-e-yung, reported that another English ship of war had come and anchored with the ship of war that had come before, in Macao roads. It was ascertained that the number of seamen in her was also 190; and on being questioned, it was averred that she would not at all enter the port, but was awaiting a favourable wind to sail out. Again did I address an official communication to the naval Commander-in-Chief, and the officer in command on the Heäng-shan station, that in every place a preventive guard should be maintained with increased diligence. Directions were also sent to the Magistrates of all the Sea-board Districts, that they should strictly prohibit the trading and fishing boats from approaching the ships of war to engage in barter or afford supplies.

At the same time, I again and a third time consulted with Your Majesty's Minister, Kee, (and we came to the conclnsion) that the common disposition of the English barbarians is ferocious and crafty, and what they trust in is the strength of their ships and the effectiveness of their guns; but that the inner seas having but shallow water, with very many sands and rocks, the said barbarian ships, though they should discharge their guns, cannot do it with full effect; also, that the said barbarian eye having placed his person in the Central flowery land, distant from his own country several myriads of miles, we are in the state relatively of master and guest; if he should madly think to overpass his bounds, our soldiers may peaceably wait to work with him: for that he will be powerless is manifest and easy to be seen. But the matter concerns those out of the bounds of civilization, and it is necessary that investigation should be made and care taken beyond what is ordinary, in order to break down the mind to submission.

What the merchants had reported being but the assertions of one party, it was not right to give hasty credence to them. We accordingly commanded the assistant Foo, Magistrate Pwan-shan-gih, to proceed, accompanied by the Kwang Chow Hëe, to the barbarian factories, personally to investigate, and at the same time to command that the ships of war should immediately get under weigh and return to their country. The said barbarian eye still did not tell clearly the particulars of what he had come to Canton to do, nor did he plainly answer for what the ships of war had come, and when they would return. Because the said barbarian eye directed a barbarian acquainted with the Chinese language to interpret, we apprehend that, in transmitting information, there might have been a want of truth, and therefore commanded that they should take linguists with them. The said barbarian eye would not receive the linguists to interpret, so that the officers deputed had no means of giving clear orders. And after having repeatedly commanded the Hong merchants to inquire and investigate, the origin and occasion of his mission still could not be at all ascertained.

On humble examination, (it appears) that the commerce of the English barbarians has hitherto been managed by the Hong merchants and Taepans; there has never been a barbarian eye to form a precedent. Now, it is suddenly desired to appoint an officer, a Superintendent, which is not according with old regulations. Besides, if the said nation have formed this decision, it still should have stated the affairs which, and the way how, such Superintendent is to manage, making petition, so that a memorial might be presented, requesting (your Majesty's) mandate and pleasure as to what should be allowed and what refused, in order that obedience might be paid thereto, and the same be acted on accordingly. But the said barbarian eye, Lord Napier, without having made any plain report, suddenly came to the barbarian factories outside the city, to reside there, and presume to desire intercourse to and fro, by official documents and letters with the officers of the Central flowery land: this was, indeed, far

out-

out of the bounds of reason. Repeatedly have the Hong merchants enjoined orders, and the deputed officers inquired and interrogated. There has been no want of bending and stooping to investigate clearly, nor has he been forcibly troubled with any difficulty; yet the said barbarian eye has not at all told plainly what are the matters he has come to attend to, and what the occasion of his mission; but has imperatively desired to have intercourse, by official communications and letters, with the officers of the inner land. And he has presumed to publish a notice, telling all the separate merchants not to regard the entire cutting off of trade as a subject for concern, showing that he has a disposition to excite agitation, and to disobey the laws and statutes. If not amply punished and repressed, how can the national dignity be rendered imposing, and all the barbarians be intimidated?

Heretofore it has been the rule, that when the barbarians are lawless their ships' holds should be closed. We, your Majesty's Ministers, have, in conjunction with the Superintendents of Customs at Canton, your Majesty's Minister Chung, consulted, and have also maturely consulted with the General Commandant, the Lieutenant-General, and the Sze and Taou officers (heads of Territorial and Financial, Judicial, Gabel, and Commissariat Departments,) in the city (and have agreed) that it only remains to close the ships' holds according to law, and temporarily put a stop to the English nation's buying and selling. Should the said barbarian eye, with awe and fear pay reverential submission, and obey and act according to the enactments and statutes of the Celestial Empire, we will then again report, requesting your Majesty graciously to permit the opening of the ships' holds for traffic; thus may a warning punishment be clearly displayed.

Commerce is originally the business of the said separate merchants; but since the said nation has not yet appointed another Taepan, and the said barbarian eye, after first saying he was to examine and direct, has on a second occasion styled himself a Superintendent, so that we cannot find, on inquiry, what things he is to attend to; and since, besides, such obstinate adherence to error, and refusal of restraint and controul, leave affairs without any responsibility, it is difficult even to hope that the trade of the separate merchants may be securely and properly conducted.

Of late, the commercial barbarians have gradually assumed a great degree of daring; at this time of commencing a new order of things, it is requisite that they should with severity be brought to order and directed. At present we are issuing a proclamation and plain order, regarding Lord Napier's repeated opposition and perverseness, wherein we consequently direct that the ships' holds be closed according to law; at the same time explaining that this has no relation to the several separate merchants, and that all other nations besides may buy and sell as usual. As to whether we do right or not, we, looking upwards, pray for (your Majesty's) sacred and luminous instructions, that the same may be obeyed and acted on.

Further, of late years the Hoppo's receipts of commercial duties from barbarian ships, have been from England about 5 or 600,000 taels. In itself, this affects not the treasure of the revenue to the value of a hair, or a feather's down. Yet the national resources being of importance, we dare not neglect to calculate thoroughly in devising a course of action. But the barbarians are, by nature, insatiably avaricious; and the more forbearance and indulgence are shown to them, the more do they become proud and overbearing. At present, the barbarian ships which clandestinely sell opium in the outer seas, are daily increasing. Just when the laws were being established to bring them to order, there further came this mad, mistaken barbarian eye. If at this time indulgence be at once shown to them, they will then advance step by step, begetting other foolish expectations. It is unavoidable that some slight display should be made of reducing and repressing them.

The said country exists by commerce; and all its merchants, coming in crowds with their goods, are in haste to dispose of them, and to take advantage of the northerly winds of autumn and winter, for returning with their goods to their country. They assuredly will not lightly cast away their goods and capital, by waiting till a wrong season. The several separate merchants, seeing that Lord Napier has repeatedly resisted and caused agitation, have all in their hearts become in a great degree unsubmissive; and it is now authenticated, that they have presented a petition at the Hoppo's office, requesting that the

ships' holds be opened; to which it has been replied by proclamation, that if Lord Napier change and repent, and obediently keep the old regulations, they may then be permitted to report, and request that the ships' holds be opened. The said merchants certainly will not bear to have their livelihood injured by such obstinacy.

Besides, the rhubarb, tea, chinaware, and raw silk of the inner land, are things absolutely necessary to the said country. On investigation, it appears, that in the 13th year of Kea-King (1808), and in the 9th year of Taoukwang (1829), the ships' holds were closed in consequence of the said barbarians creating disturbance; and afterwards they humbly supplicated, and requested their re-opening. This is a clear proof that the said nation cannot be without a traffic with the Central flowery land.

The said barbarians, except in guns and fire-arms, have not one single peculiar talent. We have now, on consultation with the General Ha and others, posted military within and without the city, at the various guard stations, directing them to patrol about with increased attention. At Macao, and all around, officers have also been secretly appointed, to spread themselves about at various posts on land and water, to maintain quietness, and keep a preventive guard, in order that no evils of remissness may arise. There decidedly must not be the least tendency towards what will occasion the commencement of a bloody quarrel and creation of disturbance. In addition, orders are given to the Foo and Heen magistrates to search after Chinese traitors, and with severity, seize and bring them to trial and punishment.

As to the commerce of the outside barbarians, the undivided responsibility lies on the Hong merchants. Now, since, on the barbarian eye, Lord Napier's, coming to Canton, they neither at first reported it before hand, nor when repeatedly commanded to enjoin orders were they able to do a single thing, showing indeed a great degree of contemptuous negligence, orders have therefore been given also to inquire if they have or have not been in fault, that they may be proceeded against with severity.

Of the particulars of all that is done, we, your Majesty's Ministers (Loo and Ke), in conjunction with the Superintendent of Customs at Canton, your Majesty's Minister Chung,—the General, your Majesty's Minister Ha,—the General of the left, your Majesty's Minister Lun, of the Imperial Kindred,—and the General of the right, your Majesty's Minister Tso,—respectfully prepare this memorial, secretly reporting, and prostrate imploring a secret glance to be cast hereon. Respectfully reported.

Inclosure 2 in No. 26.

Edict of the Governor of Canton and the Hoppo, jointly, against outside (foreign and unlicensed) Merchants being in connection with Hong Merchants.

LOO, temporarily retained in the office of Governor, &c., and

Pangy, Commissioner of Customs at Canton, &c., issue this proclamation, for the purpose of prohibition.

In the province of Kwangtung are established Hong merchants, to transact the commerce of barbarians. The means by which to prevent the offence of clandestine purchases made between the flowery people and barbarians, rest wholly on the implicit obedience paid by all the Hong merchants to the old regulations, by which the national revenue is enriched, and the maritime Government rendered imposing.

Now we, the Governor and the Hoppo, have heard it reported that there has lately been a class of gain-seeking, market-agitators, who have set up shops for foreign goods, attached to, and dependent on the Hongs, and who maintain commercial dealings with the barbarians, lowering the prices of the goods they sell, without care for the general stock. In landing and shipping goods, the weak, worn-out Hongs report for them, receiving the duties at a discount of 20 or 30 per cent. Further, in addition to shops (legally) attached to the Hongs, there are also other shops and warehouses established, at which are hung up lanterns, having the sign of such and such a Hong's warehouse, (the owners) making themselves supervisors and assistants in some Hong, in order thus to screen themselves.

The

The bills of sale of goods are drawn out as on account of such and such a warehouse belonging to such and such a Hong, while the goods are really brought and sold by the individuals themselves, a Hong merchant appearing in name, and receiving the duties from them. Then, when the Hong, becoming deeply involved, fails, and is closed, the same warehousemen return home with full coffers. Such were formerly Low-a-hok, of Manhop's Hong, and Lo-laou-Kwun, of Chunqua's Hong; and such are now Li-a-trow and Luy-a-Kwun, of Fatqua's Hong, both of whom borrow the use of the Hong merchants' name, craftily and artfully scheming for gain; and also Troy-a-mun and others, who are guilty of monopolizing the business of the shops which sell foreign goods, and of selling the duties on goods, which they report in the name of the Hong, as well as of other offences.

The said Hongs, because their own capital is not abundant, assume this vain show of respectability, with the design of obtaining ready money to circulate, thus causing that the duties, both fixed and contingent, of the Custom-house, continue unpaid year after year. This is indeed deserving of extreme detestation.

On examination, it appears that the establishment of shops for foreign goods, in which goods are bought from, and sold to, barbarian merchants dependently on Hongs, is a gross infraction of the established regulations. Supervisors under the Hong merchants should transact business only for Hong merchants. How can they be suffered to borrow the use of their names to trade? This class of market-agitators, having no commercial name on the official books, are left at full liberty, with nothing to fear or dread. There is nothing to prevent them from teaching or enticing barbarians to talk largely and create disturbance.

Besides issuing orders to the Foo magistrates to search for and seize Chinese traitors, and bring them to trial and punishment, we also unite the circumstances, and issue this proclamation, as a strict prohibition. For this purpose, the proclamation is addressed to the Hong people, that they may make themselves fully acquainted with its contents. Hereafter, in shops for foreign goods, there will be permission only to purchase goods from the Hong merchants to sell off; none may secretly depend on any Hong, and clandestinely maintain commercial dealings with barbarians. All goods sold to barbarians must, also, in obedience to the laws heretofore in force, be sold at an equitable price fixed by the Hong merchants; the shopmen are not permitted to lower the price and clandestinely sell them. And the Hong merchants are not permitted to invite these gain-seeking market-agitators, to become falsely supervisors in their Hongs, screening themselves while scheming for private ends.

Into the barbarian factories outside the city, none of any other class than the commercial men of the Hongs may at all clandestinely enter. Should any presume to go into the barbarian factories, or as shopmen, buy from, or sell to, the barbarians, he shall immediately be punished as a Chinese traitor. If any falsely assume the name of a supervisor for a Hong merchant, and set up warehouses, fishing for gain, and the said Hong should happen to fail and cease business, the said supervisor shall be equally (with the merchant) compelled to pay up the deficit of duties. Any individuals monopolizing the business of shops for foreign goods, or selling duties and reporting the goods in the name of a Hong merchant, as soon as discovered and seized, shall be tried and punished according to the law against clandestine intercourse with outside nations; and any Hong merchant conniving thereat shall be included in the same punishment. We, the Governor and the Hoppo, would repair the faults existing in the affairs of the Custom-House. When the words have issued, the law will follow. Let each tremblingly obey. Oppose not. A special proclamation.

14th year of Taoukwang, 10th moon, 1st day. (November 1st, 1834.)

No. 27.

TO THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

The Petition of the Undermentioned British Subjects at Canton.—
(Received at the Foreign Office, April 18, 1835.)

Humbly Showeth,

THAT we are induced, by the extraordinary position in which we feel ourselves placed in relation to the Chinese Government, to petition your Majesty in Council, to take such measures as may be adapted alike to maintain the honour of our country, and preserve the advantages which a safe and uninterrupted commerce with China is calculated to yield to the revenues of Great Britain, and to the important classes interested in its arts and manufactures.

We beg humbly to represent, that at the present moment the Commissioners appointed by your Majesty to superintend the affairs of British subjects trading at Canton, are not acknowledged by the constituted authorities of this country, and that they are not permitted to reside within the limits to which their jurisdiction is, by their Commission, strictly confined; while they are forbidden by their instructions to appeal to the Imperial Government at Peking, and are perfectly powerless to resent the indignities offered to the late Chief Superintendent, or to compel reparation for the injuries done to your Majesty's subjects, by the late unprovoked stoppage of their trade.

Your Petitioners are well persuaded, that the powers vested in your Majesty's Commissioners were thus restricted, with the express object of avoiding, as far as possible, all occasion of collision with the Chinese authorities; while it was hoped that, by maintaining a direct intercourse with the principal officers of Government, instead of indirectly communicating through the Hong merchants, a sure way would be opened for the improvement of the present very objectionable footing on which foreign merchants stand in this country, and for security against the many wrongs and inconveniences which they have had to suffer in the pursuit of their commercial avocations.

Your Petitioners, however, beg leave most earnestly to submit to your Majesty in Council, their thorough conviction, founded on the invariable tenor of the whole history of foreign intercourse with China, as well as of its policy on occasions of internal commotion, down to the present moment, that the most unsafe of all courses that can be followed in treating with the Chinese Government, or any of its functionaries, is that of quiet submission to insult, or such unresisting endurance of contemptuous or wrongful treatment, as may compromise the honour, or bring into question the power of our country. We cannot, therefore, but deeply deplore that such authority to negociate, and force to protect from insult, as the occasion demands, were not entrusted to your Majesty's Commissioners, confident as we are, without a shadow of doubt, that, had the requisite powers, properly sustained by an armed force, been possessed by your Majesty's late First Commissioner, the lamented Lord Napier, we should not now have to deplore the degraded and insecure position in which we are placed, in consequence of the Representative of our Sovereign having been compelled to retire from Canton without having authority to offer any remonstrance to the Supreme Government, or to make any demonstration of a resolution to obtain reparation at once for the insults wantonly heaped upon him by the local authorities.

Your Petitioners, therefore, humbly pray that your Majesty will be pleased to grant powers Plenipotentiary to such person of suitable rank, discretion, and diplomatic experience, as your Majesty, in your wisdom, may think fit and proper to be entrusted with such authority; and your Petitioners would suggest that he be directed to proceed to a convenient station on the east coast of China, as near to the capital of the country as may be found most expedient, in one of your Majesty's ships of the line, attended by a sufficient maritime force, which we are of opinion need not consist of more than two frigates and three or four armed vessels

of

of light draft, together with a steam vessel, all fully manned; that he may, previously to landing, require, in the first instance, in the name of your Majesty, ample reparation for the insults offered by the Governor of Kwangtung and Kwangse, in his Edicts published on the occasion of Lord Napier's arrival at Canton, and the subsequent humiliating conduct pursued towards his Lordship, to which the aggravation of his illness and death may be attributed; as well as for the arrogant and degrading language used towards your Majesty and our country in Edicts emanating from the local authorities, wherein your Majesty was represented as the "reverently submissive" tributary of the Emperor of China, and your Majesty's subjects as profligate barbarians; and that they be retracted, and never again employed by Chinese functionaries; that he may also demand reparation for the insult offered to your Majesty's flag by firing on your Majesty's ships of war from the forts at the Bogue; and that remuneration shall be made to your Majesty's subjects for the losses they have sustained by the detention of their ships during the stoppage of their trade. After these preliminaries shall have been conceded, [as your Petitioners have no doubt they will be,] and not till then, your Petitioners humbly suggest that it will be expedient for your Majesty's Plenipotentiary to propose the appointment of Commissioners on the part of the Chinese Government, to adjust with him, on shore, such measures as may be deemed most effectual for the prevention of future occasion of complaint and misunderstanding, and for the promotion and extension of the trade generally, to the mutual advantage of both countries. Your Petitioners believe, that if these matters shall be fairly represented, so as to do away with all reasonable objection, and the favourable inclination of the Chinese Commissioners be gained, there will be found little disposition on the part of the Supreme Government to withhold its assent, and every desirable object will thus have been attained.

Your Petitioners would humbly entreat your Majesty's favourable view of these suggestions, in the confidence that they may be acted upon, not only with every prospect of success, but without the slightest danger to the existing commercial intercourse, inasmuch, as even with a force not exceeding that which we have proposed, should be placed at the disposal of your Majesty's Plenipotentiary, there would be no difficulty, should proceedings of a compulsory nature be required, in putting a stop to the greater part of the external and internal commerce of the Chinese Empire;—in intercepting its revenues in their progress to the capital, and in taking possession of all the armed vessels of the country. Such measures would not only be sufficient to evince both the power and spirit of Great Britain to resent insult, but would enable your Majesty's Plenipotentiary to secure indemnity for any injury that might, in the first instance, be offered to the persons or property of your Majesty's subjects; and would speedily induce the Chinese Government to submit to just and reasonable terms. We are, at the same time, confident that resort even to such strong measures as these, so far from being likely to lead to more serious warfare, an issue which both our interests and inclinations alike prompt us to deprecate, would be the surest course for avoiding the danger of such a collision.

Your Petitioners beg to submit, that the mere restoration of the liberty once possessed of trading to Amoy, Ningpo, and Chusan, would be followed by the most benficial consequences, not merely in the most extended field thereby opened for commercial enterprise, but in the rivalry which would be excited as formerly, in the officers of Government at these several ports, to attract the resort of foreign merchants, and thus extend their own opportunities of acquiring emoluments from the trade.

With respect, however, to this point, or any other of commercial interest, that it would be expedient to make the subject of negotiation, your Petitioners would humbly suggest, that your Majesty's Minister in China should be instructed to put himself in communication with the merchants of Canton, qualified as they must be in a certain degree by their experience and observation, to point out in what respect the benefits that might be reaped under a well-regulated system of commercial intercourse, are curtailed or lost in consequence of the restrictions to which the trade is at present subjected, and the arbitrary and irregular exactions to which it is exposed, either directly, or not

less severely because indirectly, through the medium of the very limited number of merchants licensed to deal with foreigners. As an instance of the latter, your Petitioners may state the fact, that the whole expense of the immense preparations lately made by the Local Government, to oppose the expected advance towards Canton of your Majesty's frigates after they had passed the forts at the Bogue, has been extorted from the Hong merchants; and as but few of them are in a really solvent state, they have no other means of meeting this demand, but by combining to tax both the import and export trade.

We would further humbly, but urgently, submit, that as we cannot but trace the disabilities and restrictions under which our commerce now labours, to a long acquiescence in the arrogant assumption of superiority over the monarchs and people of other countries, claimed by the Emperor of China for himself and his subjects, we are forced to conclude that no essentially beneficial result can be expected to arise out of negotiations in which such pretensions are not decidedly repelled. We most seriously apprehend, indeed, that the least concession or waving of this point under present circumstances, could not fail to leave us as much as ever subject to a repetition of the injuries of which we have now to complain.

We would, therefore, humbly beseech your Majesty not to be induced by a paternal regard for your subjects trading to this remote Empire, to leave it to the discretion of any future Representative of your Majesty, as was permitted in the case of the embassy of Lord Amherst, to swerve in the smallest degree from a direct course of calm and dispassionate, but determined, maintenance of the true rank of your Majesty's Empire in the scale of nations, well assured, as we feel, that any descent from such just position would be attended with worse consequences than if past events were to remain unnoticed, and we were to be left for the future to conduct our concerns with the Chinese functionaries, each as he best may.

It would ill become your Majesty's Petitioners to point to any individual as more competent than another, to undertake the office of placing on a secure and advantageous footing our commercial relations with this country. We may, however, perhaps be permitted to suggest, the inexpediency of assigning such a task to any person previously known in China, as connected with commerce conducted under the trammels and degradations to which it has hitherto been subjected, or to any one, in short, who has had the misfortune either in a public or private capacity, to endure insult or injury from Chinese authorities.

Equally inexpedient would it be, as appears to your Petitioners, to treat with any functionary, not specially nominated by the Imperial Cabinet, and not on any account with those of Canton, whose constant course of corrupt and oppressive conduct forms a prominent ground of complaint; or to permit any future Commissioner to set his foot on the shores of China, until ample assurance is afforded of a reception and treatment suitable to the dignity of a Minister of your Majesty, and to the honour of an Empire that acknowledges no superior on earth.

And your Petitioners shall ever pray, &c.

W. JARDINE
J. MATHESON
J. HUNTER
T. FOX
P. F. ROBERTSON
W. BLENKIN
W. S. BOYD
A. JOHNSTONE
A. S. KEATING
J. INNES
J. HAMILTON
R. BROWNE
R. TURNER
A. MATHESON
R. THOM
B. WISE
J. BLYTH
A. NAIRNE
T. LARKINS
R. LONGLEY
J. REES
F. P. ALLEYN
H. J. WOLFE
C. R. READ
J. LOBBAN
W. E. FARRER
A. STIRLING
D. R. CALDWELL
J. AINSLEY
J. DALRYMPLE

H. WRIGHT
J. W. SMITH
F. MACQUEEN
J. McA. GLADSTONE
J. LENOX
D. WEBSTER
J. B. COMPTON
J. SLADE
J. WATSON
C. S. COMPTON
T. COLLINGWOOD
A. JARDINE
D. WILSON
W. ALLEN
J. L. TEMPLER
J. KELLAWAY
H. GRANT
S. HYDE
H. D. DALRYMPLE
J. C. JOLLY
H. HALE
E. PARRY
J. T. LANCASTER
A. J. McFARLANE
R. SWAN
T. ROBSON
J. WILSON
R. FERANDES
J. BURNETT
G. KENNEDY
F. JAUNCEY
J. MIDELETON
W. HYDE
A. ELIAS.

Canton, December 9, 1834.

No. 28.

Minutes of Conversation between Howqua and Mowqua, Hong Merchants, and Mr. Jardine.—(*Received April* 25, 1835.*)

September 2, 1834.—THE above-named Hong merchants called on Mr. Jardine, to request his assistance in communicating with the Chief Superintendent, and proposing some specific mode of settling existing disputes.

Mr. Jardine agreed to state to Lord Napier any proposals they might make; and they returned to the authorities for instructions.

September 3.—The Hong merchants, Howqua and Mowqua, with the elder Mowqua, returned this forenoon, and said they had every reason to believe the following terms [then committed to paper] would be agreed to by the Viceroy, provided Mr. Jardine could induce Lord Napier to agree to them on his part.

The arrangement is founded on a mutual understanding, that the trade shall be opened by the Viceroy, on a petition to that effect, being presented to him by the British merchants; and Lord Napier shall leave Canton in four or five days from that on which the trade is opened.

1st. The Viceroy shall, on receiving a respectful petition from the British merchants, immediately issue orders for the opening of the trade.

2nd. It is clearly understood, that no saucy, boasting chops shall be issued by the authorities, after his Lordship's departure. Nor shall any proclamations be issued prohibiting his Lordship's return to Canton.

3rd. Should Lord Napier have occasion to visit Canton, previous to the Viceroy's having received an answer from the Emperor, respecting his Lordship's reception, it is understood that he is at liberty to do so; he making as short a stay as convenient, and the authorities shutting their eyes to his being in Canton.

The merchants then returned to the city, with the view of having the agreement confirmed and acted upon.

About 7 P.M. of the same day, Mowqua returned, and, in the name of himself and the two Hong merchants, informed Mr. Jardine, with much apparent regret, that the Foo-Yuen and other Mandarins of rank, had addressed the Viceroy, remonstrating against the proposed arrangement, and induced him to break it off; which information Mr. Jardine immediately communicated to Lord Napier.

On

* This is the summary of the private negotiations referred to in Note to No. 14 of this collection of documents.

On the 11th inst., the *Imogene* and *Andromache* being then at Whampoa, the three senior Hong merchants, Howqua, Mowqua, and Puankeequa, waited on Mr. Jardine, and begged he would again endeavour to bring about an amicable settlement of the existing difference.

Mr. Jardine having reminded them of the faithlessness of their former proceedings, inquired whether they were deputed by the authorities, or came of their own accord?

They replied with some hesitation, that they had assurances, through the Nowhoy and Foyuen, of the trade being immediately opened, provided Lord Napier would send the ships of war outside the Bocca Tigris, adding, "we can ourselves secure this." As they appeared confident of success, Mr. Jardine stated what had passed to Lord Napier; and on their returning the following day, submitted to them the following letter from his Lordship.

"*Lord Napier to William Jardine, Esq.*

"Dear Sir, "*Canton, September* 12, 1834.

"IN reference to the conversation held between yourself and the Hong merchants last night, and conveyed by their desire to me, I can only state, that if they are sincere in their wishes to come to an accommodation it will give me great pleasure to meet them, remembering always, on such principles as are consistent with the honour of Great Britain, and the dignity of the King's Commission. In the first place, then, I say let a chop be issued immediately, recalling the servants and workmen to their respective Hongs, opening the markets as heretofore, and removing the prohibition against all boats passing and repassing on the river. This being done, I will then send the guard of marines, now in the factory, back to the ships.

"I will then request the captains of the frigates to return to Chuenpee; the merchants shall petition the Viceroy to open the trade, and that being done, immediately, I will request that one of them should return to the Admiral in India, to prevent the reinforcements being sent.

"Hang-tai shall be liberated, and not be made liable to any future annoyance, for that which he did not do; and for this I will bind myself not to report the circumstance to the Emperor.

"Lord Napier shall have the privilege of passing and repassing between Canton and Macao as he finds it necessary. The insulting manner of writing his name shall no more be used; and the Edict which orders the trade to be opened, shall also contain an admonition to the Chinese to treat the British and other foreigners with that respect and hospitality which is due to strangers.

"I have, &c.,
"(Signed) NAPIER."

The above letter having been read at a full meeting of the Hong merchants, in their Consoo House, they said unanimously they could secure the terms therein proposed would be agreed to; and Howqua with Mowqua proceeded to the city to lay them before the authorities.

On the morning of the 13th instant, they returned, saying the terms proposed were inadmissible, and began to propose others, which Mr. Jardine refused to listen to, telling them to communicate in writing what they had to say.

Canton, September 14, 1834.

No. 29.

Extracts from the "Records of Proceedings."—(Received May 18, 1835.)

December 6, 1834.—The following joint Proclamation of the Governor and Hoppo, is promulgated annually with the manifest intention of keeping alive, in the minds of the people, feelings of contempt and suspicion towards the foreigner. It has been considered proper to record in this place with a view to draw the attention of Her Majesty's Government to the subject.

Annual proclamation against Hong merchants conniving at, and abetting vice in foreigners. Issued by the Governor and Hoppo, November 15, 1834.

"Loo, Governor of the provinces Kwangtung and Kwangse, and Pang, Superintendent of Customs at Canton, hereby issue a severe interdict.

"The barbarians of outside nations who trade within the Central territory, are in their spoken language unintelligible to, and in their written language all different from [the Chinese]. It is, therefore, very difficult for them to understand clearly the proprieties, the laws, and the prohibitory orders of the Celestial Empire; and on this account security merchants and linguists have been appointed to rule and controul commercial transactions. These persons ought, doubtless, continually to instruct and guide [the barbarians], to repress their pride and profligacy, and to insist on causing them to turn with all their hearts towards renovation; that both parties may enjoy the repose of gladness and gain, every one keeping in his own sphere, and minding his proper business. Moreover the security merchants are all men of property and respectable family; it the more behoves them to have a tender regard for their face and reputation, to trade with fairness and equity, and not to cheat or deceive; then they will certainly be able to obtain the confidence of the men from far.

"Now, on inquiry we find, that formerly there was a set of shameless, lawless, Hong merchants, who, whenever the barbarians entered the port and took lodgings, endeavoured to make a gain of them. For this purpose they adopted a hundred schemes to meet their wishes, bought young boys for them, to act as servants and attendants; or procured boat prostitutes for them, to gratify their libidinous dispositions; by so doing, not only ruining the morals and manners of the public, but also, it is to be apprehended, creating disturbances.

"About this time, the foreign ships are successively arriving; and it is really feared, that lawless vagabonds will again tread on their old habits. Therefore, besides ordinary strict search to be made for the purpose of seizure, we unite in issuing this strict interdict. To this end we address it to the security merchants, the linguists, and the patrol and watchmen behind the factories, requiring their universal acquaintance herewith.

"Hereafter, all are peremptorily required to have a tender regard for their face and reputation, and to repent, with bitter contrition, of their former faults. At every landing place behind the hongs where barbarians reside, they must not allow the tanka boats to anchor. And when barbarians pass up or down, between Canton and Whampoa, they must not seek out and hire for them tanka boats having families on board.

"As to the foreign menials whom they bring with them, they are in every way sufficient to attend on and serve them; they are not at all permitted to hire and employ natives. If any presume to continue to hire Chinese, and young boys for them as servants; or, forming unlawful connexions with barbarians, lead them clandestinely to the tanka boats, to drink wine and sleep with courtezans; or, under the darkness of night, secretly take ashore prostitutes into the factories; so soon as the patrol and watchmen, having found and seized them, reported the fact, or so soon as such proceedings shall have been otherwise found out, the lawless barbarians, together with the security merchants and linguists, shall assuredly be sent to the local officers, to be tried and punished according to law, with severity.

" As to the appointed patrol behind the factories, and the constables of the district, if they presume to accept of bribes, purposely to connive at, screen and conceal such practices, they shall, so soon as it is discovered, be made to wear the cangue, for one month, on the spot; and, at the expiration of that time, shall be brought before our court, and immediately cudgelled to death.

" We, the Governor and Hoppo, will firmly adhere, without deviation, to the law; and will not assuredly show the slightest indulgence. Let every one obey with trembling fear. Be careful not lightly to try an experiment. A special proclamation.

" Taoukwang, 14th year, 5th moon, 15th day."

December 8, 1834.—The subjoined Edict is an Imperial answer in reply to the Memorial respecting the late Lord Napier's departure from Canton. Several other Edicts to the same effect having already been forwarded to Viscount Palmerston, in the Chief Superintendent's despatches, it has merely been considered necessary to record this one instead of transmitting it in a despatch.

Imperial Edict in reply to the Governor and his colleagues' report of Lord Napier having left Canton, and of the frigates having retired without the Bogue, October 7th, 1834.

" On the 5th day of the 9th moon was issued the following Supreme Mandate.

" ' A report has this day been received by a speedy post conveyance, Ha-fung-ah, [the General Commandant of Canton], and his colleagues, announcing that the English ships of war and barbarian Eye, had all been conducted, under guard, out of the port.

" ' On this occasion, the English barbarian Eye, Lord Napier, having come to Canton for trade, did not pay obedience to the laws and statutes; and the said Governor, according to law, closed the ships' holds, after which the said barbarian Eye still did not request a permit, but presumed to order two ships of war to push in through the maritime entrance, and to proceed straight up to Whampoa in the inner river. The said Governor appointed civil and military officers, with troops, and addressed communications requesting the appointment of naval vessels from the Tartar force, and from those under the Admiral's command, as also cruizing vessels from Sin-hwuy and other districts, which he stationed severally along the passage before the ships of war, and at narrow and important places on either shore. The people of the said barbarian ships of war saw before them wooden spars ranged across and all around, on the surface of the river, with guns and muskets [numerous] as the trees of a forest, and large and small naval vessels stationed over a space of several miles in length, while, on shore, military officers and men were encamped, presenting a compact and united force, and a warlike array imposing and alarming. The said barbarian Eye and others remained, therefore, secluded in their boats, there being no interchange of intelligence between those within and those without, and no way either to advance or to go out. With dread and fear, they repented of their offences, and supplicated earnestly for a permit to go down to Macao.

" ' The said Governor considered, that, as the said barbarian Eye and others had transgressed the prohibitions with daring contempt, if they were permitted at once to leave Canton, thus coming and going at their own convenience, there would not be sufficient power to intimidate and bring under the barbarians' tempers; and, therefore, he commanded the Hong merchants, Woo-tun-yuen and others, to question them sternly as to what the said barbarian Eye wished to do; why he came to Canton, without having obtained a permit, and presumed to bring the ships of war suddenly into the inner river; also, why, when the soldiers opened a thundering fire on them, did they presumptuously dare to discharge their guns and return resistance? requiring from them clear and explicit answers before permitting them to leave Canton.

" ' Afterwards a merchant of the said barbarians, Colledge, answered, saying, " that Lord Napier is a barbarian Eye, and not the same as a Taepan; that he was unacquainted with matters of dignity; that the cause of the cruizers coming into the port was really to protect the goods,

in

in consequence of the holds of the merchant ships having been closed; and that, in consequence of the military at the maritime entrance having opened a thundering fire on them, the barbarian force also discharged its guns in self defence, but that they had deeply repented of their fault." Also the said nation's merchants and seamen, several thousands in number, all considered the said barbarian Eye's disobedience of the laws and statutes to be wrong, and there was not a single person who joined in harmony with him.

"'The said Governor considered, that as the said barbarian Eye, Lord Napier, had confessed his faults and besought favour, and as all the merchants had repeatedly made earnest supplications, it doubtless behoved him to extend a slight trifling indulgence, and to drive him out of the port; and he therefore permitted the said Hong merchants to proceed to the Superintendent of Customs, to request and obtain a red permit. The said Governor immediately appointed trusty, civil, and military officers who, on the 19th day of the 8th moon, took Lord Napier under guard outside of the port. Both the said barbarian ships of war also started on the same day, and were conducted under guard outside of the maritime entrance of the Bogue. All the naval and military officers and men who had been stationed at various places were every one recalled, and returned severally to their stations.

"'At the time when it was equally impossible for the said barbarians to advance or to recede, what difficulty would there have been in immediately extsrminating them? But these outside barbarians are in search of gain: to intimidate them on points whereon they are unacquainted with the laws and prohibitions, and to refuse altogether arguing with them is what I, the Emperor, am extremely unwilling to do. If contumelious, they should then be chastised; if brought under subjection, they should then be tolerated. The said Governor and colleagues, in conducting this affair, have yet acted skilfully and correctly. Before, on account of the said Governor and colleagues not having been able to take due preventive measures before the business, thereby admitting the said ships of war to push into the inner river, causing to the military the labour of driving them out; my pleasure was therefore made known, that they should be severally degraded from their rank, and openly punished. Now, having driven the said barbarian Eye and others out of the port, the said Governor and others, although at the beginning they failed in a preventive guard, have in the end been able to settle the thing well and securely, without loss of the national dignity, and without incurring any bloody strife. I, the Emperor, am exceedingly well pleased.

"'Let Loo have favour shown him, by restoring to him the title, "guardian to the heir apparent;" and let also the double-eyed peacock's feather be given back to him. The neglect of guard on the previous occasion, renders it difficult for him to free himself wholly from blame; let him, therefore, still continue degraded from official rank, though retained in office. With regard to all the maritime guard officers, and the Naval Commander-in-Chief, the special responsibility rested on the late Commander-in-Chief, Le, who has been already degraded. Now, as the matter has been brought to an end, let further inquiry be dispensed with, and let him be directed immediately to return to his native place. Let Kaou-e-yung, the degraded Tsantseang of the Admiral's own division, wait till after the month of wearing the cangue be accomplished, and then be released. Let all the officers who guarded the forts with so much carelessness, be made to wear the cangue, and after the expiration of the time, let them be released.

"'In this I, the Emperor, show favour beyond the measure of the laws; the said Governor and others ought but to feel shame, and arouse to diligence, strenuously exerting themselves to stimulate a reform in the affairs of the camp and of the maritime guard, from time to time instructing and admonishing with sincerity. It is peremptory that they take their former accumulated habits, and with contrition, eradicate them severally, in order to cause the military to become all strong and powerful, so that the martial name and dignity may be strengthened, and the appointed duties be performed. Respect this.'"

No. 30.

J. F. Davis, Esq., to Viscount Palmerston.—(*Received May* 12, 1835.)

My Lord, *Macao, January* 2, 1835.

IT is with much satisfaction that I now inclose to your Lordship the accompanying translation of an Imperial edict, which, viewed in connexion with the occurrences of August and September last, must be regarded as a document of considerable importance.

This paper attributes the efforts of Lord Napier to obtain a direct communication with the government, and the transactions consequent thereon, to the numerous extortions of the Canton merchants. and observes, that the foreigners, "unable to bear their grasping, stir up all disturbances." Were it at all probable (which I feel assured it is not) that the grievances admitted in this Imperial document, and ordered therein to be redressed, were thus brought forward from any really spontaneous desire to do justice to strangers, and relieve the Canton trade from its heavy burthens, this would at least prove that our complaints, so often repeated, had at length reached the Court of Pekin.

There is, however, far greater probability in attributing this disposition to criminate the Hong Merchants, to that feeling of uneasiness, which its present position in respect to the English trade is so well calculated to excite in the cautious and timid government of this country. A species of apology is thus provided for the late occurrenees, and a desire professed to remedy grievances in expectation, perhaps, that the harsh, unreasonable and unprecedented measure, of rejecting Lord Napier's first letter of announcement, and subsequent attempts at direct correspondence, may expose it to the risk of future and embarrassing discussions.

However desirable it may appear to His Majesty's Government to avoid, if possible, the chance of a serious rupture with this country, at the same time that every endeavour is made to ameliorate the condition of British traders at Canton, it may with the utmost safety and certainty be averred, that the similar desire on the part of the Chinese Government is no less sincere; however carefully it may be sought to be disguised under the absurd phraseology of its official papers.

While the document above referred to, proposes relief to the fair trader of Canton, another edict, of which I have also the honour to inclose a translation, is levelled against the smuggling trade of Lintin and the coast. It is almost needless to observe that, previous documents of the nature have proved entirely nugatory, and that the opium trade, at last, has continued in spite of them. It remains now to be seen, whether the native government, having its attention at length awakened by the increased amount of smuggling transactions, consequent on the open trade of this season, will endeavour to give greater efficacy to its edicts, and oppose some effectual impediments to the contraband commerce of Lintin.

I have, &c.,
(Signed) J. F. DAVIS,
Chief Superintendent.

Inclosure 1 in No. 30.

Imperial Edict against extortions of Hong Merchants under the name of Duties, and against incurring debts to Foreigners.

THE following supreme mandate has been received.

"There are at Canton, merchants who have of late been in the habit of levying private duties, and incurring debts to barbarians; and it is requested that regulations be established to eradicate utterly such misdemeanors.

"The outside barbarians' commercial intercourse with the inner land, exists, indeed, by the compassion exercised by the Celestial Empire. If all the duties which are required to be paid, can, indeed, be levied according to the fixed tariff, the said barbarian merchants must certainly pay them gladly, and must continually remain tranquil. But if, as is now reported, the Canton merchants have of late been in a feeble and deficient state, and have, in addition to the Government duties, added also private duties, while fraudulent individuals have further taken advantage of this, to make gain out of the Custom-House duties, peeling off (from the barbarians) layer after layer; and have gone also to the extreme degree of the Government merchants, incurring debts to the barbarians, heaping thousands upon ten thousands; whereby are stirred up sanguinary quarrels: if the merchants, thus falsely, and under the name of tariff duties, extort, each according to his own wishes, going even to the extreme degree of incurring debts, amount upon amount, it is not matter of surprise if the said barbarian merchants, unable to bear their grasping, stir up disturbances. Thus, with regard to the affair this year of the English, Lord Napier and others, disobeying the national laws, and bringing forces into the inner river, the barbarians being naturally crafty and artful, and gain being their only object, we have no assurance that it was not owing to the numerous extortions of the Canton merchants, that they, their minds being discontented, thereupon craftily thought to carry themselves with a high hand. If regulations be not plainly established, strictly prohibiting these things, how can the barbarous multitude be kept in subjection, and misdemeanours be eradicated?

"Let Loo, and his colleagues, examine with sincerity and earnestness; and if offences of the above description exist, let them immediately inflict severe punishments therefore; let there be not the least connivance or screening. Let them also, with their whole hearts, consult and deliberate, and report fully, and with fidelity, as to the measures they, on investigation, propose, for the secure establishment of regulations, so as to create confident hopes that the barbarians will be disposed to submit gladly, and that fraudulent merchants will not dare to indulge their desires of peeliug and scraping them. Then will they (Loo and his colleagues) not have failed of accomplishing the duties of their officers. Make known this edict. Respect this."

Inclosure 2 in No. 30.

Imperial Edict, against the importation of Opium.

November 3, 1834.

ON the 3rd day of the 10th moon (November 3rd), was received the following supreme mandate.

"Loo and his colleagues have made a report of the existing circumstances of foreign vessels selling opium, and of the measures taken for inquiring and acting with regard thereto. The Canton barbarian vessels which clandestinely bring opium, chiefly dispose thereof in the outer seas; having a race of native bandits hooked together with them, to afford them supplies and remove (their cargoes). Loo and his colleagues have given strict commands to the war vessels, from time to time to urge and compel the barbarian vessels to get under weigh, and to prohibit the native vessels and tanka-boat people from holding intercourse with the barbarian vessels; also, with severity to seize the smuggling native vagabonds.

"But when all the vessels are crowded together on the face of the

sea, it is difficult to separate the worthless stones and 'gems;' it only remains, after the merchant vessels of every nation have sailed away, to examine thoroughly, and if there be on the sea any warehousing smuggling ships, immediately to send forth the naval force, and with a great display of lofty dignity, strictly to drive them out. Orders should further be given to the officers to appoint two cruizers to anchor at sea, among the barbarian vessels, in order to make search, and to prevent all native vessels and tanka-boats from approaching the barbarian vessels to hold clandestine dealings with them; that thus the supply of provisions may be cut off. If any native vagabonds go in fast-boats to the barbarian vessels, to land the opium for sale, or clandestinely to purchase goods, let them be immediately sought after, seized, and brought to trial, and punished with severity. The military commandants and the district magistrates, on the inner rivers, must also be held responsible for the appointing cruizing vessels at the maritime ports; to be severally stationed, in positions previously arranged, so as to occupy all the inlets communicating with the sea; and there to cruize about in rotation throughout night, for the purpose of making seizures. If any people, taking (opium) to sell, steal through, either inward or outward, let them be immediately seized and committed. Let the custom-houses, one and all, search strictly and with real earnestness. And whenever a seizure has been made of men or vessels smuggling what is contraband, or evading the duties, let application be immediately made, according to rule, and the parties be severally rewarded and encouraged. If any officers are negligent in keeping up guard, or if soldiers or policemen take fees to connive, let the soldiers or policemen be punished according to law, and let the commanding officer be reported against with severity. Let the local officers be commanded also to inquire after, and seize native vagabonds who open 'opium furnaces,' making diligent search for them, and punishing severely. If any officers do not act with fidelity, they must, whenever convicted, be severely reported against. Let the Hong merchants, likewise, be commanded to enjoin commands on the English barbarian merchants, that they are mutually to examine and inquire, and that if one vessel smuggle and evade the duties, all the vessels shall be immediately prohibited trading; that thus they may themselves be caused severally to investigate, and adopt preventive measures; which will be a plan more sure and perfect.

"Loo and his colleagues, when they meet with any of these cases and circumstances, must punish offenders, they are not permitted to extend mercy towards them. Still more must they not, in lapse of time, become careless and indolent, regarding this as a mere prepared document."

There is, further, a postscript to the report, stating, that "by nature the barbarians have no other object but gain, and their clandestine trade having existed long, they certainly will not contentedly relinquish it. Either after the Government force has dispersed, they will come again, or else they will creep, rat like, into other provinces." The said Governor and his colleagues are imperatively required to keep them under very strict control, maintaining, outside, a cruizing squadron of Government vessels, and within, a strict guard at the maritime entrance; so that they may neither dispose of goods, nor yet be suffered to escape into other provinces. To sum up, they are expected to form plans, and conduct the matter securely, strictly prohibiting, till they eradicate offences; then will they not have failed of fulfilling the duties of their offices. Respect this."

No. 31.

J. F. Davis, Esq., to Viscount Palmerston.—(*Received May* 18, 1835.)

(Extract.) *Macao, January* 19, 1835.

AFTER the lapse of considerably more than three months since the re-opening of the trade, consequent on Lord Napier's retirement from Canton, I am tempted to take a brief review of the principal occurrences of

of this period, as the best ground of an opinion concerning the measures which His Majesty's Government may deem it fit to adopt relatively to China.

I am aware that two courses, of a very opposite nature, might have been taken by me, subsequent to Lord Napier's decease, in lieu of the one which, according to the best of my own judgment, and with the entire concurrence of the Board, I have pursued; and which considering that a season of unusual commercial activity, and an increased amount of tonnage, is now drawing quietly to a close with the monsoon, I see reason to regret. I might, in the first place, have tried the effect of a measure which has not been without its advocates, and which (under very peculiar and favourable circumstances) was successful in 1814. I mean the withdrawal of the ships from the river, and the stoppage of the trade on our part. I do not deny that this might have been productive of considerable embarrassment to the local government for the time: but the ill-success of such a course in the season of 1829-30, when the Company's ships were detained for about five months to little or no purpose, was a warning which I now do not regret having profited by. The effect of such detention on private shipping would have been ruinous, and a serious blow to the future trade with this country.

I might, on the other hand, have adopted the opposite extreme measure of an immediate submission to the dictates of the local government, and have proceeded to Canton to place myself under the management of the Hong merchants; but from this I was deterred by the conviction, stated to your Lordship in my despatch of the 11th November, that "any adjustment ought to take place as the result of a mutual necessity; and that an unbecoming and premature act of submission on our part, under present circumstances, could not fail to prove a fruitless, if not a mischievous measure." I feel persuaded that it would have been the most effectual means of preventing the Emperor's favourable edict, inclosed in my despatch of the 2nd instant.

The proclamations of the Viceroy, (copies of which I had the honour to forward under dates the 2nd and 11th November,) calling for the election or appointment from home, of a "trading chief" betrayed the difficulty which the local government had brought on itself by its refusal to acknowledge Lord Napier. Translations of subsequent papers (not intended for our perusal), which I had the honour to forward on the 18th November, proved the importance which the local government really attached to the trade, and its anxiety to avoid a rupture; as well as the responsibility which the Emperor had fixed on the Viceroy, in respect to the preservation of tranquillity.

It was reasonably hoped by the Commission, that a complete silence and abstinence from all further attempts to negotiate with the Canton Government, pending the reference home, might be attended with a favourable effect. The Imperial edict, forwarded with my despatch of the 2nd instant, in which the blame of the transactions of August and September is thrown on the Hong merchants, and the late troubles attributed to their extortions on the trade, must be viewed as unequivocal sanction of that opinion. To repeat the words of my former despatch, "a species of apology is thus provided for the late occurrences, and a desire professed to remedy grievances, in expectation, perhaps, that the harsh, unreasonable, and unprecedented measure of rejecting Lord Napier's first letter of announcement, and subsequent attempts at direct correspondence, may expose it to the risk of future and embarrassing discussions.

An opportunity is afforded by this Imperial document, which His Majesty's Government (should it be indisposed to accede to the Chinese proposition of a "trading chief,") may not be inclined to neglect, in making an appeal to the Court of Peking, against the conduct of its servants at Canton, whose corrupt system, in relation to the European commerce, tends nearly as much to defraud the Emperor of his dues, as to oppress and discourage the foreign trader. I am at least persuaded, to repeat the expression of my sentiments in a despatch to the Governor-General, of the 24th October, [*Inclosure in No. 20 of this collection*], that it could be only the failure of such an appeal, that the policy

and justice of any coercive measures towards the local government, would be otherwise than questionable.

The crude and ill-digested Petition to His Majesty from a *portion* of the English traders at Canton (for some of the most respectable houses declined signing it) is said to have been drawn up by a casual visitor from India, totally unacquainted with this country.

I have, &c.,
(Signed) J. F. DAVIS,
Chief Superintendent.

No. 32.

Extracts from the "Records of Proceedings."—(Received July 7, 1835.)

January 19, 1835.—MR. DAVIS has before expressed his conviction, that during the quiet progress of the trade at Canton and Lintin, it is the obvious duty of this Commission, under existing circumstances to abstain most carefully from any steps calculated to pledge His Majesty's Government as to the future, or to impede or embarrass in any way whatever, the commercial transactions of individuals, during the interval that must elapse previous to the receipt of instructions from home. The same sentiments have been expressed in our communications to the Governor-General of India, with the full impression that it is expedient to afford to His Majesty's Government the amplest time and choice in regard to its measures, subsequent to the arrival of our despatches of last October. On these grounds it was deemed most advisable to make no attempts at negotiation with the Chinese Government unless such available advances should come from them as might warrant a departure from this rule.

With his original intention to quit China during the favourable moonsoon, and his notice to that effect conveyed in his letter of the 17th July last, Mr. Davis has waited since the middle of October to give full time for the arrival of replies from Peking, and the development of the views of the native authorities; and the result has been a requisition for a "trading chief," and not a king's officer. Under these circumstances it is obvious that nothing remains to be done but to await the final determination and arrangements of His Majesty's Government. With the concurrence therefore, and sanction of the Board, Mr. Davis will adhere to his notice intimated in July last to the Foreign Office and the Court of Directors, and since then conditionally repeated in a despatch to Viscount Palmerston, under date the 13th October. But as his proceeding home "on leave," would according to the standing instructions, prevent the succession of Captain Charles Elliot to the Board, he will, with a view to securing to His Majesty's Commission, the valuable services of that gentleman, deem it his duty to waive any claims, that the form of "absence on leave" might afford himself, and vacate entirely his station on embarking; thereby causing Captain Elliott to succeed as a Superintendent by virtue of the aforesaid Instructions.

(Signed) J. F. DAVIS.

In resigning the office of Chief Superintendent, Mr. Davis this day delivered over to Sir George Best Robinson, His Majesty's Commission to Lord Napier, together with all other official documents, Seal of Office, &c.

January 21.—Mr. Davis embarked in the ship *Asia* for England.

January 22.—The Board assembled, and in pursuance to our Instructions under the Royal Signet and Sign Manual, Sir George Best Robinson assumed the office and duties of Chief Superintendent, Mr. Astell that of Second, and Captain Elliot, late Secretary, that of Third Superintendent.

A. R. Johnston,

A. R. Johnston, Esq., being nominated by the Chief Superintendent, received his Commission as Secretary and Treasurer [to date from the day of Mr. Davis' resignation], under the Seal and Signature of the three Superintendents.

No. 33.

Sir G. B. Robinson to Viscount Palmerston.—(*Received June* 19, 1835.)

(Extract.) *Macao, January* 24, 1835.

SINCE Mr. Davis' departure nothing of moment has occurred; but I trust shortly to furnish your Lordship with much information, which I have reason to hope will prove valuable, relative to ports and harbours on the coast of China; the state and nature of the native commerce thereat; and the probable advantageous result that would attend a well conducted trade with places less shackled with the extortions and impositions to which we have been so long subjected at Canton.

No. 34.

Sir G. B. Robinson to Viscount Palmerston.—(*Received June* 19, 1835.)

(Extract.) *Macao, February* 3, 1835.

THE almost instant departure of the ship *Robarts* enables me merely to communicate to your Lordship in the most brief manner, that a boat's crew, consisting of 12 men belonging to the ship *Argyle*, bound from Bengal to Canton, have fallen accidently into the hands of some lawless or piratical people on the coast, forty or fifty miles westward of this port.

As soon as the circumstances reached the knowledge of the Superintendents, not a moment was lost in endeavouring to secure the assistance of the Provincial Government, for the recovery of the people. I regret to observe, however, that the Canton authorities refused to receive the statements from the hands of Captain Elliot, who was deputed to convey it, because it was not made in the form of a Petition. Your Lordship may rely upon our most anxious efforts to deliver these unfortunate people from their perilous condition, and I will not fail to forward a detailed statement of the matter, as well as all our proceedings therein, by the earliest opportunity.

I have only time to add that the commerce is proceeding uninterruptedly, and there is no reason to apprehend it will be disturbed by this unfortunate event.

No. 35.

Extract from the "Records of Proceedings."—(*Received July* 7, 1835.)

January 29, 1835.—Captain Macdonald of the *Argyle*, this day appeared, and deposed to the following statement on oath :—

Appeared Alexander Macdonald, and deposed, that he is master of the British ship *Argyle*; states, that being bound from Bengal to Canton, the ship fetched in between Hawchime and Lieuchee Island on the 21st instant. Is quite certain that it was somewhere between these points that the ship fetched, but cannot speak with more precision, because of the state of the weather which had prevented him from observing for the four previous days. Owing to the damage the sails had sustained, the ship was anchored at this place, and, on the morning of the 22nd, at day-light, deponent sent a boat on shore, then distant about two miles, with the view to seek a pilot. The boat contained the second officer of the ship, an European Sookanee, a Manilla

Sookanee, and nine lascars, twelve in number altogether. The boat was not armed, and Deponent is persuaded that no outrage was offered to the natives by the boat's crew. The boat did not return to the ship at all; at about one o'clock, however, two Chinese boats came off and communicated with the ship. The people asked whether she was bound to Macao? Deponent desired them to go on shore, and send off his boat. They pretended to go, but returned,—that is to say, two men returned in a sampan [a small boat] and intimated by signs, that the boat's crew was seized. They offered, before the ship left the place, on the 22nd, to bring the people back, if Deponent would give them 500 dollars. He had not the money with him, and, under all the circumstances of the case, he thought it best to repair to this place, where he arrived to-day.

(Signed) ALEXANDER MACDONALD.

Sworn before me, this 29th day of January, 1835.

(Signed) G. B. ROBINSON,
Chief Superintendent.

As there appeared to be no doubt that these unfortunate men had fallen into the hands of some of the notoriously lawless people upon the part of the coast indicated in the deposition, the Superintendents determined to lose no time in formally and respectfully reporting the circumstances to the direct knowledge of the principal authorities at Canton. With this view, they caused the following note to be translated into Chinese by M. Gutzlaff, and its sentiments to be rendered in a manner conformable to the genius of the language, and in accordance with those respectful modes of communication adopted by public officers in their reports to each other.

"To his Excellency the Governor of the two provinces of Kwangtung and Kwangse.

"The Undersigned have the honor respectfully to represent to your Excellency, that, &c., [*here was recited a succinct statement of the circumstances.*]

"The Undersigned are very conscious that your Excellency will hear of the violent outrage committed by these evil-disposed people upon His Majesty the King of England's subjects, driven by distress upon the coast, with feelings of sincere regret; and they have a firm confidence in the earnestness of your Excellency's efforts to deliver these unfortunate innocent men from their perilous condition with the utmost promptitude. In the discharge of a solemn duty to the King their gracious Sovereign, and in a sense of respect to your Excellency, it has been judged right to submit this important representation in the most direct manner, by the hands of a member of His Majesty's Commission, who is accompanied by the captain of the ship, and is authorised to carry on any official communications which may be needful. It has also been considered decorous and reasonable to refrain from taking any urgent steps for the recovery of the people, until your Excellency shall be made acquainted with the disastrous transaction.

"The Undersigned avail themselves of this occasion to offer to your Excellency the expression of their highest consideration and respect.

(Signed)
" G. B. ROBINSON, 1st
" J. H. ASTELL, 2nd } Superintendent."
" CHARLES ELLIOT, 3rd

The version in Chinese of this document, as prepared by M. Gutzlaff, is as follows:—

"La, Ah, and E, by British Royal Commission Superintendents of their country's affairs, communicate jointly and respectfully to your Excellency the Governor of the two Kwang, Loo.

"That on the first day of the first month, the 15th year of Taou-Kwang,

(January

(January 29th, 1835), Ma, [Alexander Macdonald], a captain of their nation, reported:

"That his ship called the *Argyle*, whilst on her voyage from Bengal, met unfortunately with storms and made St. John's, when she anchored in a harbour on the east coast, near to New-Keo-Chow.

"That on the 23rd of the 12th month of the 14th year of Taoukwang [January 21st, 1835], he sent his mate, two helmsmen, and nine sailors in his boat on shore, with the intention of procuring a pilot, who might guide his ship over the shoals to Macao.

"That the inhabitants of St. John's being unfortunately ruffians, seized on a sudden upon our people, twelve in number, taking them prisoners, and forcibly possessing themselves of their boat.

"That, although the said Captain strenuously exhorted them to liberate his sailors, those ruffians demanded by way of extortion, 500 dollars, for which they would set them at liberty.

"That two of the inhabitants of St. John's came here in his ship to receive that unjust bribe.

"This coming before us Superintendents, we prepared previously this document to represent to your Excellency, that according to decorum, we should not ourselves arbitrarily endeavour to get back our countrymen, but we beseech your Excellency most earnestly to issue immediate orders to those ruffians of St. John's, commanding them to give up our countrymen without delay.

"The Superintendents being extremely desirous to fulfil the duties of their office, which they hold by Royal Commission, could not sit down with indifference, and see their people in the utmost danger, without succouring and assisting them. They therefore deputed the Superintendent E. to repair with the said Captain Ma, to the provincial city, that he might with his own hand present this document, and wait for an official reply from your Excellency.

"Respectfully wishing your Excellency the enjoyment of peace and happiness, we communicate in this document a true statement of the case.

"Done, January 30th, 1835.

"(Signed) CHARLES GUTZLAFF."

January 30, 1835.—It was considered to be desirable that the three Superintendents should sign this Paper to the Governor, as it appeared to be possible that this circumstance might give it rather the character of a Report than a Letter [and it will be remembered that the pretext for refusing Lord Napier's first communication was, because it was a Letter]; at all events it was thought probable that the Chinese authorities might be disposed to avail themselves of any change in the form, as a reason for receiving the statement. The seals of the three Superintendents were affixed to their signatures, but it was determined merely to attach a fly seal to the envelope, because it was hoped, that to afford the officer who might be deputed to communicate with us, the facility of reading it, would remove every rational ground of objection. Upon the address was superscribed a short sentence to the effect, that the report related to matter concerning human life. These precautions being taken, it was arranged that the third Superintendent [Captain Elliot] should be the bearer of the paper, and with a view to prevent excitement, or any pretension that the communication was tumultuously presented, it was resolved that the intention should be kept perfectly secret, and that only two persons should accompany Captain Elliot, *viz.* M. Gutzlaff and the Captain of the *Argyle*. It was also decided that these gentlemen should not go to the factories at all, but should repair direct to the water gate, [about a mile to the eastward of the factories,] at which point an officer in the navy, of Captain Elliot's rank [Captain Freemantle, in 1831] had recently delivered a letter from the Governor General to the Viceroy. The result of this attempt is described in the following papers.

February 4, 1835.—The annexed Minute is from the third Superintendent.

Immediately upon the conclusion of our recent visit to the water-gate, I requested M. Gutzlaff to take a note of the circumstances which had occurred there, because I rather preferred that the statement should be made by another hand than my own. I have read his paper which is annexed to this minute, with great attention, and I should say, that it contains a complete and exact account of the transaction. There can be little doubt that the person by whom I was principally beset, acted only in the performance of his duty in resisting the entrance of any foreigner into the city. It need hardly be observed, however, that he was unnecessarily earnest and violent, because there was not the least disposition on my part to force my way into the city, but simply to maintain a position within the first wicket, as is usual on these occasions, and to wait there for the arrival of any officers deputed by the Governor, with whom I might confer. The two Mandarins of rank who did eventually come, stayed only to declare that they could receive nothing but a petition, and therefore no opportunity was afforded to me formally to complain of the unbecoming treatment I had experienced. But I confess I cannot regret this circumstance, for it is very obvious that the true responsibility of this and all other conduct of the same nature, attaches entirely to the Government, and is by no means to be set aside by the imputation of blame to their subaltern officers. It belongs generally to that spirit of unreasonable and dangerous impracticability with relation to the point of direct intercourse between the public officers of the two countries, which is so completely a subject for the consideration and disposal of His Majesty's Government.

The awakening of eager solicitude upon the part of the highest authorities, for the rescue of the King's subjects, and the inducing a serious determination vigorously to pursue the offenders, were the great objects of immediate concern to the Commission, and to this extent there can be no doubt that our Mission was completely successful.

(Signed) CHARLES ELLIOT,
Third Superintendent.

Mr. Gutzlaff's report.—Sunday morning, 1st February, 1835, His Majesty's third Superintendent, Captain Elliot, R.N., the master of the British ship *Argyle*, Alexander Macdonald, and myself, arrived opposite the third pagoda in Canton river.

We went in a three-oared boat to a landing place near the Yew-lan Gate, which leads to the Governor's palace, in order to present a document from His Majesty's Superintendents, addressed to his Excellency the Governor, wherein they requested him to give orders for the liberation of twelve British subjects who had been forcibly seized upon by some natives of St. John's, and belonged to the British ship *Argyle*.

His Majesty's third Superintendent, Captain Elliot, wore the uniform of a post captain of His Majesty's navy, and directed us both to behave towards himself, in the presence of the Mandarins, with the greatest respect, to give an additional proof that he was a King's officer. He also requested me to be courteous in the extreme, when engaged in conversation with the Mandarins, and not to offer any resistance, should violence be used towards us.

We entered, accordingly, the Yew-lan Gate, and had proceeded a few houses farther, when, all on a sudden, the soldiers fell upon Captain Elliot, one of them, a second lieutenant, with a brass knob, grasping the hilt of his sword and struggling with him for several minutes, until Captain Elliot fell on the ground. In the mean while, I addressed the soldiers in a loud voice, that the gentleman whom they maltreated was an officer of His Britannic Majesty, and came here upon a most urgent affair, which concerned the lives of twelve British subjects, but they did not listen, and pushed him very hard. I then placed myself near a pillar, and endeavoured to reason with these violent men, which had the desired effect, for, upon hearing that we came in the service of His Britannic Majesty, they desisted from offering violence to me; nevertheless, they continued to treat Captain Elliot with the greatest indignity, whilst I myself went up the street to find out, if possible, an officer of rank; but not succeeding, I turned

turned back, and saw Captain Elliot, and afterwards Macdonald, forcibly dragged and pushed through two wicket gates. Hereupon, I most solemnly, in the hearing of all bystanders, protested, that Captain Elliot, being an officer of His Britannic Majesty, had come hither with a document addressed to his Excellency the Viceroy, concerning the lives of twelve British subjects, and was on no account to be ill-treated. I exhorted them to abstain from this outrage, but the lieutenant, as well as the other soldiers, answered me with a sneer, took hold of me, and threw me out of the gate.

We stood now between the Yew-lan and the two wicker gates, when we were met by a military Mandarin, in his uniform, wearing a blue knob, and being preceded by several men who carried chairs. To him Captain Elliot addressed himself, and presented the document, which he refused to receive, and I was then requested to state to the said Mandarin, in plain terms, that this was His Britannic Majesty's officer, who had come here upon a most important affair which concerned the lives of British subjects, and was anxious to hand this document to a Mandarin of rank, that he might transmit it to his Excellency the Governor. He treated this appeal with contempt. I, therefore, showed him the outside of the document, where it was stated, that this matter was of the highest importance, and concerned the lives of British subjects. He read it and sneered contemptuously. Captain Elliot then requested, through me, that the lieutenant who had treated him, a British officer, with such indignity, should be punished. The military Mandarin laughed, saying, "You an officer!" We pointed, therefore, to the epaulets and the other insignia of rank, and the by-standing soldiers remarked, that gold naturally indicates rank, whilst the officer silenced them and sneered. He then took off his upper robes, and Captain Elliot declined any farther conversation.

Whilst the Mandarin withdrew, we were exposed to a great mob, drawn hither by curiosity, in witnessing so extraordinary a scene. The soldiers now collected in greater numbers, and placed themselves before the wicket gate where we stood, some of them having whips in their hands, whilst others appeared on the opposite side, and drove the multitude away.

Shortly afterwards some Linguists came and desired to converse with us. Captain Elliot requested me to tell them, that we wished to communicate our affairs to a messenger from the Viceroy, a Mandarin of rank. This I told them in Chinese; and farther refused to hold any conversation with any man who was not an officer of Government.

We had waited half an hour longer, when several Mandarins, all in their State uniform, arrived; and amongst them we observed Mowqua, a senior Hong merchant, who wore a peacock's feather and a crystal globe. The same Linguist addressed us again, and desired that we might communicate the affair, and give him the document. As he, however, met with a refusal the gates were thrown open, and we were brought into the presence of two general officers, who wore red buttons, and had seated themselves in the Watch-house. As soon as Captain Elliot tried to sit down, they rose, and he presented, most respectfully, the document to one of them; but the Mandarin refused to receive it. These officers, as we were told, had been deputed by the Governor, and I therefore again stated in a loud voice, that Captain Elliot was a British officer, who was come here to represent a most urgent case which concerned the lives of twelve British subjects; but he replied, "we only receive Petitions." I showed him the cover of the document, upon which the above words were written, which he read. After this both left us abruptly, and repeated, "We only receive petitions." We therefore withdrew, and returned to our boat.

(Signed) CHARLES GUTZLAFF,
Joint Interpreter.

[*Mem.*: *F. O.*, 1840.—IT is not necessary to state all that subsequently passed between the Superintendents and the Chinese authorities relating to this case: suffice it to say, that the authorities are represented to have exerted themselves zealously; that on the 20th of February, intelligence was received at Macao, that the officer and boat's crew of the *Argyle* had arrived at Canton

on the 18th; that they were restored to their ship on the 19th; that the ship was secured in the usual way; and that the first part of her cargo reached Canton on the 23rd.]

No. 36.

Sir G. B. Robinson to Lord William Bentinck, Governor General of India, transmitted to the Foreign Office by the Secretary to the Superintendents.—(Received July 7, 1835.)

(Extract.) *Macao, February 21, 1835.*

SINCE the departure of Mr. Davis the trade has been drawing uninterruptedly to a close, nearly all the ships with tea cargoes having sailed.

With regard to the actual position of affairs, from the circumstances of our removal from Canton, and being cut off from communication with the natives generally, I am unable to furnish any decided opinion of my own; but from the most authentic private information I have strong reasons to believe, that, under an assumed appearance of perfect indifference, the local authorities are in a state of extreme apprehension and disquietude, as to the consequences likely to result from the events of the past year. The Canton population are said to be intensely anxious, and to interest themselves greatly in the question of our political situation with their Government.

No. 37.

Sir G. B. Robinson to Viscount Palmerston.—(Received July 7, 1835.)

(Extract.) *Macao, February 27, 1835.*

I HAVE now the honour to forward to your Lordship the first of a Series of Essays or Remarks by the Rev. Charles Gutzlaff *.

Fully impressed with the great importance of transmitting every intelligence respecting this country, immediately on assuming the duties of office, I requested Mr. Gutzlaff would furnish me with any information likely to prove of moment or interest, being convinced no person could be so well qualified as this gentleman who, your Lordship must be aware, has had more remarkable and favourable opportunities of making observations and thereby forming opinions, than perhaps any other European, at least in modern times. If this assertion should be questioned, on the ground that many others have resided for a longer period in the country, I may be permitted to observe, that men engaged in mercantile or other pursuits at Canton, confined within narrow limits, and only deriving casual information from ignorant if not interested persons, Hong merchants, Linguists, and servants, cannot, I presume, be quoted as equally good authority with an individual who, disregarding all the luxuries and comforts of civilized life, has not only visited the coast in European vessels, but adopting the dress, habits, and, what is more surprising, the language of these people, has associated with them on a familiar footing in various places, known formerly to no Europeans, and now only to a few. Of an energetic and enthusiastic disposition, influenced by the highest motives, and carried away perhaps by over-sanguine hopes and expectations in his religious views, it is possible Mr. Gutzlaff may have adopted some fallacious ideas, as to the facilities of extending British commerce to other ports in China; but I am thoroughly convinced the most successful results would attend decided and vigorous measures

---

* The substance of this and all Mr. Gutzlaff's other Essays on the Statistics of China, sent to the Foreign Office by the Superintendents, has been printed in a work published by Mr. Gutzlaff in London, in the year 1838, called "CHINA OPENED."

measures on the part of the British Government, to achieve an object of such infinite importance.

I cannot speak from personal experience, having never visited the coast; but from the period when the first ship, the *Merope*, Captain Parkyns, 1820–21, commenced the system of delivering opium at various places, I have closely questioned intelligent men, who have had opportunities of making observations; and the result of my inquiries is the conviction, that the people are intensely desirous to engage in traffic, certain to prove alike advantageous to themselves and to foreigners; that the Mandarins are anxious to benefit thereby, but are, reluctantly perhaps, compelled to enforce the prohibitions regarding trade; and that an opening for almost unbounded commercial operations would be the desirable effect of little more than a demonstration on the part of our Government, of a determination to establish a proper understanding in the political and commercial relations of the two countries.

The ease and fluency of Mr. Gutzlaff's style afford a striking proof of the aptness of this gentleman, a native of Stettin in Prussia, in acquiring languages, and of the proficiency which he attains.

Throughout his writings, your Lordship will perceive an anxious wish to call our attention to the incalculable advantages that would accrue from the establishment of a trade at other ports in China, and the facility with which he anticipates so important an object might be accomplished.

No. 38.

Sir G. B. Robinson to Viscount Palmerston.—(*Received August* 6, 1835.)

My Lord, *Macao, March* 30, 1835.

I HAVE the honour to inclose a document recently issued from the Hoppo's office, containing a memorial from the Provincial Government to the Emperor, embodying eight regulations respecting the foreign trade and intercourse. These restrictions are described in the memorial to be "additional and altered." I cannot say, however, that the alterations or additions are framed in such a spirit, or proceed to such an extent, as would render adherence to these eight rules at all more compatible with the conduct of the trade, or our continuance in the country for one month, than to the eight several times multiplied, already deposited in the Company's Archives. In fact, perhaps I need hardly observe to your Lordship, that the single object of the republication of these instruments from time to time, is to enable the Local Government to evade responsibility, in every conceivable contingency which may arise out of the foreign intercourse, by fixing the duty of a most minute controul upon other persons. Whilst things proceed in a quiet and usual course, the regulations are not adverted to, but the moment there is the smallest degree of present inconvenience, the provincial authorities turn to this most comprehensive rubric of prohibitions, and immediately pronounce that certain traitorous Hong merchants, &c., &c., (always choosing men of substance,) have been guilty of a breach of the laws of the empire. Their own vindication in the eyes of the Emperor is then attempted, and pretty generally achieved by the vigorous pursuits of these victims, fining them heavily, or putting them to death, or both, as the urgency of the case shall seem to require. I am disposed to believe that the publication of this document, just now, may be taken to afford some evidence of a state of considerable disquietude, some expectation of difficulties at hand: at all events, I know of no other observation with which it appears to be worth while to trouble your Lordship upon the subject. The posture of public affairs in this country continues unchanged since the date of my despatch of the 4th ultimo.

I have, &c.
(Signed) G. B. ROBINSON,
Chief Superintendent.

Inclosure in No. 38.

Document from the Hoppo, containing a Memorial from the Canton Government to the Emperor, with Eight Regulations restrictive of Foreign Trade.

March 8, 1835.

PANG, by Imperial appointment, Superintendent of the Maritime Customs of Canton, &c., &c., issues this order to the Hong merchants, requiring their full acquaintance with the contents thereof.

I have received the following communication from the Governor.

"Whereas I, the Governor, united, on the 28th day of the 1st moon, in the 15th year of Taoukwang, with your Excellency the Hoppo, and the Lieutenant-Governor of Kwangtung, Ke, in framing a respectful memorial concerning restrictive regulations, decided on for direction of the trade and of barbarians. We must now await the receipt of a reply in vermiilion (*i. e.* in the Imperial hand-writing), when the same shall be reverently recorded and communicated to you.

"A communication is at the same time addressed to the Governors of the Metropolitan Provinces (Chihle and Keangnan, and of Minche, (Chekeang and Fuhkeen,) and to the Lieutenant-Governors of the provinces Keangsoo, Chekeang, and Fuhkeen, requesting that they would issue general orders to all civil and military officers along the coasts within their jurisdiction, strictly to command that the merchant-ships, hereafter, when resorting to Canton to purchase foreign goods, shall one and all repair to the chief custom-house of Canton, and request a stamped manifest, enumerating the goods and their quantities, likewise to disallow private purchases; and also to maintain strict investigation, that if any vessels from sea, bringing home transmarine goods, be found on examination, to be without the stamped manifests of the custom-house, such goods may be immediately regarded as contraband, and examination made, and punishment inflicted, according to the regulations.

"Instructions also are given to the Tungche of Macao, for him immediately to give strict orders to the pilots, the compradors, and so forth, that they may obey and act accordingly. Hereafter they are imperatively required to adhere to the regulations established by memorial to the Emperor; they are to be careful in piloting vessels, and they must not unlawfully combine (with foreigners) to smuggle, if the barbarian ships go out or come in contrary to the regulations, or if the barbarians clandestinely go about in small boats to places along the coast, rambling about the villages and farms; the said pilots are to be assuredly brought to a strict investigation, if there be any sale or purchase of contraband goods, or stealthy smuggling of goods liable to duty, and the compradors fail to report according to the truth, they also are to be immediately punished with rigour, and are decidedly to have no indulgence shown to them.

"Instructions are likewise given to the Porchingsze and Anchasze, to examine and act in accordance with the tenor of the copy of the memorial, and immediately to transmit directions to the civil and military officers along the coast (of the province), to act in obedience thereto; also to command the Hong merchants and linguists to enjoin orders on the barbarian merchants of every nation, that they may, one and all, act in obedience thereto, and not oppose.

"Besides all this, it is fitting that I address this communication to you the Hoppo, that you may in accordance with the tenor of the copy of the memorial, issue orders on all points, to the Hong merchants and linguists, that they may enjoin orders on the barbarian merchants of every nation, for them to obey and act accordingly."

This coming before me, the Hoppo, I unite the circumstances and issue this order. When the order reaches the said merchants, let them act in obedience to the tenor of the copy of the memorial, and enjoin orders on the barbarian merchants of every nation, that they may pay obedience thereto. Oppose not! A Special Order!

Annexed is a paper, containing a fair copy of the memorial, as follows:—

"A reverent

" A reverent memorial, respecting restrictive regulations, determined on for the direction of the trade, and of barbarians, is hereby presented, imploring the sacred glance to be cast thereon.

" With reference to barbarians from beyond the outer seas, coming to Canton to trade, since the time when, in the 25th year of Keen-Lung, (1760,) restrictive enactments were fixed by a representation (to the throne), there have also been further regulations, from time to time, namely, in the 14th year of Keaking, (1810,) and in the 11th year of Taoukwang, (1831,) determined on, by the several former Governors and Lieutenant-Governors; and on representation (to the throne) the same have been sanctioned; obedience has been paid to them; and they have become established laws. These have been complete and effectual. But in length of days, wherein they have been in operation, either they have in the end become a dead letter, or there have gradually sprung up unrestrained offences.

" Last year the English Company was ended and dissolved. The said nation's merchants come at their own option to trade. There is none having a general controul. Although commands have been issued to the said nation's barbarian merchants, to send a letter home to their country, to continue the appointment of a Taepan who shall come to Canton, for the direction and controul (of affairs); yet, as the merchants are now many, and individuals are mingled together, while affairs are under no united jurisdiction, it is necessarily required that regulations should be enacted and published, in order to furnish matter to be obeyed and adhered to. But the affairs of time have variations of present and past; and, since the English barbarians' Company is dissolved, the attendant circumstances of commerce are also slightly different from what they before were.

" Besides those old regulations, respecting which it is unnecessary further to deliberate, but all which, as formerly, continue to be distinctly enumerated in plain commands: and, besides the regulations regarding the management of barbarian debts, and regarding the strict seizure of smugglers, both which have already been specially represented, there are still regulations which require to be reconsidered, for the purpose of adding or altering. These, we, your Majesty's Ministers, calling into Council with us the Porchingsze and Anchasze, have carefully deliberated upon.

" The rules of dignified decorum should be rendered awe-striking, in order to repress overstepping presumption; the bonds of intercourse should be closely drawn, in order to eradicate Chinese traitors; the restraints on egress and ingress should be diligently enforced; the responsible task of investigation and supervision should be carefully attended to. Then, surely, with regard to the restrictive enactments, will there be increasingly displayed minute care and diligence. At the same time, the Hong merchants should be strictly commanded to trade fairly and equitably, each regarding highly his respectability, in order that all the foreigners, thoroughly imbued with the sacred dew of favour, may universally quake with awe, and be filled with tender regard.

" Looking upwards, to aid our Sovereign's extreme desire to soothe into subjection the far-coming barbarians, and to give attention and weight to the maritime guard, we respectfully join these expressions, in a reverent and duly prepared memorial; and also take the eight regulations which we have determined on, and making separately a fair copy thereof, respectfully offer them for the Imperial perusal; prostrate supplicating our Sovereign to cast the sacred glance thereon, and to impart instruction. A respectful memorial.

" Taoukwang, 15th year, 1st moon, 28th day. (February 25, 1835.)"

" We respectfully take eight additional and altered regulations, restrictive of the barbarians, whereon we have deliberated and decided; and, having attentively made a fair copy thereof, we, with reverence, offer them for the Imperial perusal."

1. The outside barbarians' ships of war conveying goods are not permitted to sail into the inner seas. It is requisite to enforce with strictness

the prohibitory commands, and to make the naval force responsible for keeping them off.

On examination, it appears, that the trading barbarians may bring ships of war to protect their goods themselves. This has, for a long time past, been the case. But the regulation hitherto existing only permits them to anchor in the outer seas, there waiting till the cargo vessels leave the port, and then sailing back with them. They are not allowed to presume to enter the maritime port. From the period of the reign of Keaking onwards, they have gradually failed to pay implicit obedience to the old rule; and, last year, there was again an affair of irregularly pushing in through the maritime entrance. Although the said barbarians, sailing into the shallow waters of the inner river, can effect nothing in the least, yet restrictive measures always should be perfect and complete. With regard to the line of forts at the Bocca Tigris, there are now some additional erections, and some removals in progress; and, at the same time, more cannon are being cast, and measures of preparation and defence are being determined on. It is, besides this, requisite to enforce with strictness the regulations and prohibitions.

Hereafter, if a ship of war of any nation, conveying goods, presume to enter either of the maritime ports of Cross harbour, or the Bocca Tigris, the barbarian merchants' cargo vessels shall have their holds altogether closed, and their trade stopped; and, at the same time, she (the ship of war) shall be immediately driven out. The Naval Commander-in-chief also shall be held responsible, whenever he meets with a ship of war of the outside barbarians anchored in the outer seas, to give commands immediately to all the officers and men of the forts, that they apply themselves to the object of keeping up preventive measures against the same; also to lead forth in person the naval squadron; to cruize about with them in guard of all the maritime entrances; and to unite their strength to that of the forts, for the purpose of guarding against (any such ship of war). Should the officers or soldiers be guilty of negligence and indolence, they shall be reported against with severity. It is imperatively necessary that the power of the naval and land forces should be made to act in unbroken concert, so that the barbarian ships may have no way of irregularly pushing through.

2. When barbarians stealthily transport muskets and cannon, or clandestinely bring up foreign females or foreign sailors, to the provincial city, the Hong merchants shall be held responsible in all points, for investigating the matter.

It appears on examination, that barbarians may carry with them one sword, one rapier, and one gun, each; this the regulations do not prohibit. But if they presume, besides this, to bring cannon and muskets, or other military weapons, and foreign females, up to the provincial city, the fixed regulations hold the men and officers of the guard stations responsible for finding out and stopping them. The guard stations have indeed the responsible duty of searching and discovering; but the barbarian merchants at Canton, dwelling in the outside barbarians' factories, the apartments which they occupy are all rented by them, from the Hong merchants. The said merchants' ears and eyes being so close to them, they certainly cannot be ignorant (of anything they do); it is evidently befitting that they should be held responsible for investigating and finding out.

Hereafter, the barbarians of every nation shall be utterly disallowed bringing up muskets, cannon, or other military weapons, or foreign females, or sailors, to the provincial city. If any should clandestinely bring them up, the Hong merchants from whom their factory is rented, shall be held responsible for discovering and preventing it, and for disallowing them to be brought into the factory; and for at the same time repairing to the local magistrate to report (any such attempt). Should he suffer, connive at, and conceal such, the said Hong merchant shall be punished according to the law against clandestine intercourse with outside nations. The officers and men of the guard stations, who fail to discover such misdemeanors, shall also be severally tried and rigorously punished, as guilty of failing to investigate, and wilfully conniving!

3. Pilots and compradors of barbarian ships, must have licenses from the

the Tungche of Macao; it must not he allowed that they should be privately hired.

It is found on examination, that in the office of the Tungche of Macao, there have hitherto been appointed fourteen pilots; and whenever a barbarian ship arrives in the sea outside of the Bocca Tigris, a report should be made to the said Tungche, that he may command a pilot to take the ship into the port. For the provisions and necessaries required by the barbarian merchants on board the ship, a comprador should be employed, who is also selected from among men conspicuous in their native village for substance and property, and is appointed by the said Tungche to fill the station. Of late, there has constantly been a set of vagabonds in the outer seas, falsely acting in the capacity of pilots, who artfully make away with the goods of barbarians, and then run off. There has also been a class of vagabonds who craftily assume the name of compradors, and unlawfully combine for the purpose of smuggling, and other illegalities. When the thing is discovered, and search is made for them, their names and surnames having been falsely assumed, there are no means of finding and bringing them to trial.

Hereafter, the Tungche of Macao, when appointing pilots, shall ascertain fully, their age, and outward appearance, their native place and habits of life, and shall then give them a place in the list (of pilots), and also a sealed and signed waist-warrant*. A list also shall be kept of them, and a full report respecting them sent to the governor's office and to the Custom-house, to be there preserved. When they have to pilot in a barbarian ship, a sealed license shall be given to them, stating explicitly the names and surnames of the pilot and of the master of the ship; which when the guard stations have verified, they shall let the ship pass on. Any men without the sealed and signed waist-warrant, the barbarian ships must not hire and employ.

With regard to the compradors required by the barbarian ships, when anchored at Macao or Whampoa, they must all have waist-warrants given to them by the said Tungche, and must be subject at Macao, to examination by the said Tungche, and at Whampoa, to examination by the Pwanyeeheen magistrate. If the barbarian ships come in or go out contrary to the regulations, or if the barbarians clandestinely go about in small boats to places along the coast, rambling among the villages and farms, the pilots shall be brought to a strict investigation. And if there be any selling or purchasing of contraband goods, or any stealthy smuggling of goods liable to duty, and the compradors do not report the same according to the truth, their offences shall be rigorously punished.

4. With regard to hiring and employing natives in the barbarian factories, there must be limits and rules clearly settled.

On examination, it appears, that it was formerly the regulation that the trading barbarians should not be permitted to hire and employ any natives except linguists and compradors. In the 11th year of Taoukwang, it was, on representation (to the throne), permitted, that in the barbarian factories, for gate-keepers, and for carriers of water, and carriers of goods, natives might be hired for (foreigners) by the compradors. But the silly populace earnestly gallop after gain, and possess but little shame. And, adjoining the provincial city, are many persons who understand the barbarian speech. If the barbarians be allowed to hire them at their own pleasure, it will be difficult to prevent unlawful combination and traitorous procedure. It is evidently befitting that a limit and rule should be fixed, and that a special responsibility should be created.

Hereafter, in each barbarian factory, whatever the number of barbarians inhabiting it, whether few or many, it shall be permitted only to employ two gate-keepers, and four water-carriers; and each barbarian merchant may hire one man to keep his goods. It shall not be permitted to employ any more beyond this limited number. These men, the comprador of the barbarian factory shall be held responsible for hiring; the linguists shall be held responsible

* This is a piece of wood with characters cut thereon, to be carried about th person, hence called "waist-warrant."

sible for securing and filling up the places of the compradors; and the Hong merchants shall be held responsible for securing, and filling up the places of, the linguists. (This will be) a shutting-up regulation, extending through progressive grades. If there be any illicit combination, or breach of law, only the one who hired and stood security shall be answerable. At the same time, commands shall be given to the Superintending Hong merchants, to make out monthly a fair list of the names and birthplaces of the compradors and coolies under each barbarian's name, and hand it in to the district magistrate, to be kept in the archives, ready at any time to be examined. As to the carriers of goods, the linguists shall be commanded to hire them temporarily, when the time comes (that they are required); and when the business is finished, to send them back. As to the natives being hired, to become the menial attendants of barbarian merchants, under the name of shawan, (servants,) it shall be eternally prohibited. Should barbarian merchants hire coolies beyond the limited number, or clandestinely hire shawan (servants) as menial attendants, the linguists and Hong merchants shall both receive punishment.

5. With regard to barbarians' vessels sailing about in the inner river, there should be reductions and limitations severally made, and the constant practice of idly rambling about should be prohibited.

It appears, on examination, that the barbarian trading vessels, when they enter the port, anchor at Whampoa. In going to and fro, between Canton and Macao, the English Company's skippers only have hitherto been permitted to travel in flag-bearing sampan boats. This kind of sampan is a boat with a rather large hull, and a deck over it rendering it easy to carry in it military weapons and contraband goods. Now that the Company has been dissolved, all the flag-bearing sampan vessels should be done away with.

As to the barbarians residing in the barbarian factories, they are not permitted to presume to go in and out at their own pleasure. In the 21st year of Keaking (1816), during the period of the former governor, Tseang, being in office, it was arranged, that on three days in every month, namely the 8th, 18th, and 28th, they should be permitted to ramble about once, in the neighbourhood. Of late years, the said barbarians have continually disobeyed the old regulations, it is imperatively necessary to enforce powerfully the prohibitory commands.

Hereafter, all the barbarians, when their ships reach Whampoa, if they have any business requiring them to go to and fro, between Canton and Macao, or to interchange letters, shall only be permitted to use uncovered sampans, they may not again use flag-bearing sampan vessels. When the small sampans pass the custom-houses, they must wait until they are searched; and should they have in them contraband goods, or cannon, or other military weapons, they must be immediately driven out. The barbarians residing in the factories shall only be permitted to ramble about once a day, on the 8th, the 18th, and the 28th days of each month, in the neighbouring flower gardens, and the Hae-chwang-sze temple (on Honan). Each time there must not be more than ten individuals, and they must be limited to the hour of 5 in the evening to return to their factories. They must not be permitted to remain out to sleep or to drink liquor. If, when it is not the day when they may receive permission, they should go out to ramble, if they should exceed the number of ten individuals, or if they should go to other villages, hamlets, or market places, to ramble about, the Hong merchants and linguists shall both receive punishment.

6. When barbarians petition on any subject, they should in all cases petition through the medium of the Hong merchants, in order that the dignity of Government may be rendered impressive.

On examination, it appears, that the written characters of outside barbarians, and of the Central flowery people are not of the same nature. Among them (the former,) there are some who have a rough knowledge of Chinese characters, but they are unacquainted with style and good diction, and are ignorant of the rules required for maintenance of dignity. When they petition on affairs, the expressions used are void of intelligent signification, and there is always much that it is difficult to explain. They also,

also, in an irregular manner, adopt epistolary forms, and confusedly proceed to present papers themselves, greatly infringing the dignity of government. Moreover, that for one and the same barbarian affairs, petitions should be presented, either through the medium of the Hong merchants, or by barbarians themselves, is an inconsistent mode of acting.

Hereafter, on every occasion of barbarians making petitions on any affairs, they must always have the Hong merchants to petition and state the circumstances for them. It is unnecessary that they should themselves frame the expressions of the petitions. If there be an accusation to be brought against a Hong merchant, on any affair, and the Hong merchants may perhaps carry it oppressively, and refuse to petition for them, then the barbarians may be allowed to go themselves to the offices of the local magistrates, and bring forward their charges; and the Hong merchants shall be immediately brought to examination and trial.

7. In securing barbarian ships by Hong merchants, there should be employed both securities by engagement and securities by rotation, in order to eradicate clandestine illegalities.

It is found on examination, that when barbarian ships come to Canton, the old rule is, that they should be secured by all the Hong merchants in successive rotation, and if they transgress the laws, the security merchants are alone responsible. Afterwards it was apprehended that securing by rotation was attended by offences of grasping and oppressive dealing, and all the Keankeo barbarian (*i. e.* country) ships were therefore permitted themselves to invite Hongs to become their securities. Now the Company has been dissolved, and the barbarian ships that come are scattered, dispersed, and without order; if the responsibility of being secured by the Hong merchants in rotation be again enforced, as formerly, it is apprehended that offences of extortionate oppression will arise. And yet, if suffered themselves to choose their securities, it is difficult to insure that there will not be acts of unlawful combination.

Hereafter, when the barbarian ships arrive at Canton, they shall still, as formerly, be permitted to invite Hongs wherein they have confidence, to become their engaged securities, and all the trade in goods, the requesting permits, the payment of duties, and the transaction of public affairs, shall be attended to by the engaged security merchant. In the payment of duties, the tariff regulations shall be conformed to; it shall not be allowed to make the smallest fractional addition. At the same time, to each vessel shall be appointed a security by rotation, which duty each of the Hongs shall fulfil in the order of successive routine. It shall be his special duty to examine and investigate affairs. If the engaged security merchant join with the barbarians to make sport of illegal practices and traitorous machinations, or secretly add to the amount of duties, or incur debts to the barbarians, the security merchant by rotation shall be held responsible for giving information thereof according to the facts, that the other may be brought to an investigation, and that any debts may be reclaimed. If the security by rotation connive, he shall also on discovery be brought to an investigation.

8. If barbarian ships on the seas clandestinely sell goods chargeable with duty, the naval force should be held responsible for finding out and seizing the same. Also, communications should be sent to all the seaboard provinces requesting them to examine and investigate.

It appears, on examination, that when the barbarian ships of every nation bring goods to Canton, it is reasonably required that they should enter the port, pay measurement charges and duties, and sell off, through the medium of the Hong merchants. But the said barbarian vessels continually cast anchor in the outer seas, and delay entering the port, and some even do not at all enter the port, but return and sail away: not only storing up and selling opium, but also, it is feared, clandestinely disposing of foreign goods. We, your Majesty's Ministers, on every occasion of this being reported to us, have immediately replied by strict directions to the naval force to urge and compel them to enter the ports, or if they will not enter the port to drive them instantly away, and not permit them to loiter about. We have also appointed officers at the various maritime entrances, to seize with strictness, smuggling vagabonds. In repeated instances, men and vessels going out to sea to sell opium have been seized, and

on investigation, punishment has been inflicted. But the province of Canton has a line of coast continuous along the provinces of Fuhkeen, Chekeang Keangsoo, and Teentsin (Chihle). Traitorous vagabonds of the several provinces sail in vessels of the sea on the outer ocean, and clandestinely buy and sell goods, dealing with the barbarians, and then carry back (their purchases) by sea. This class of traitorous dealers neither entering nor leaving by any of the sea-ports of Canton, there are no means of guarding against or seizing them. And the foreign goods having a divided consumption, the amount that enters the port is gradually lessened, the consequences of which on the duties are great.

Hereafter, the naval Commander-in-chief should be held responsible for giving commands to the naval vessels to cruize about in the outer seas in a constant course; and if there be any dealers approaching the barbarian ships, clandestinely to purchase foreign goods, immediately to seize them and give them over for trial and punishment. Also, regulations should be established that vessels of the sea, of whatever province, when wanting to purchase foreign goods, shall all repair to the chief Custom-house of Canton, and request a sealed manifest, enumerating the goods and their quantities, and that none shall be permitted to make private purchases. Communications should be sent to the provinces of Fuhkeen, Chekeang, &c., that general orders may be issued, requiring obedience to be paid to this, and that strict search may be maintained in all the sea-ports, that if any vessel of the sea bring back foreign goods, and it appears that she has not the sealed manifest of the Custom-house, they shall be immediately regarded as contraband, and on legal investigation, the vessel and cargo confiscated.

Taoukwang, 15th year, 2nd moon, 10th day. (March 8th, 1835.)

No. 39.

Sir G. B. Robinson to Viscount Palmerston—(*Received September* 26, 1835.)

(Extract.) *Macao, April* 13, 1835.

AT the same time that I am intimating my resolution to maintain our present position until we are in possession of the views and intentions of His Majesty's Government, I shall not fail to take advantage of casual and unforeseen incidents, whereby beneficial results may be obtained.

I was credibly informed that the local authorities and Chinese generally, were in a state of much anxiety and alarm some time ago, when the early ships from Bengal were expected. An unfounded and absurd report which ill-judging persons ignorantly or mischievously promulgated, of seven or more ships of war being off the coast, produced a lively sensation and considerable alarm in Canton; but the arrival of letters and papers from India putting an end to immediate apprehension, and encouraged, I fear, in the idea that the events of last year will be consigned to oblivion, I believe little comparative interest is exhibited at the present moment, although there is no doubt their fears and anxiety will again return as the time approaches for the arrival of important despatches.

It now becomes a painful but imperative duty to express unfeigned regret at the dissensions and violent party spirit that has so fatally prevailed, and even now exists to a fearful extent, amongst the mercantile community of Canton. Your Lordship will, I feel certain, acquit me of any other feeling, save a sense of duty, when I call your attention to this dangerous state of society, and express my firm conviction that the untoward reception at, and disastrous removal of, His Majesty's Commission from Canton, was mainly to be attributed to the bitter party feeling, which I am sorry to assert, reigned at the very moment when general unanimity, and cordial co-operation, should have aided and strengthened the efforts of its officers.

In no country, in no case, are dissensions so injurious, or unanimity and

and good will so essential to the public welfare as in China, but I lament to say I have invariably witnessed the evil effects of an opposite state of affairs.

Without reverting to the past, I wish strongly to point out the absolute necessity of placing the officers of government as much beyond these influences as practicable; their most strenuous efforts and best exertions must be in vain, if counteracted by a strong undercurrent, if I may so express it. To prevent an evil of this nature is perhaps impossible, but I conceive it might be in a degree lessened, were every British subject, every British ship, removed from the river, previous to the commencement of any sort of communication with the local authorities. Timely and reasonable notice being given, I should not anticipate remonstrance on an occasion where personal apprehensions would have their due weight. A retirement to Macao would hardly have the desired effect, and probably lead to many difficulties; to avoid which I would venture to recommend the embarkation of all British families and subjects resident at that place, until political arrangements were perfectly concluded, on board the merchant ships, which might then take their station in some of the beautiful harbours in the neighbourhood of Lantao or Hong Kong. How far the latter measure is practicable I am uncertain, but think, if accomplished, it would make a greater impression on the Chinese than any expedients hitherto resorted to.

With the exception of some trifling disputes between commanders, officers, and seamen of merchant ships, which Captain Elliot's competent knowledge of maritime law and usage has enabled me to settle with little difficulty, nothing worthy of notice has occurred.

No. 40.

Sir G. B. Robinson to Viscount Palmerston—(*Received January* 28, 1836.)

My Lord, *Macao, July* 1, 1835.

I HAVE the honour to transmit the accompanying papers, and respectfully to recommend them to your Lordship's earnest attention*. Charged with the Superintendence of this great commerce, to be carried on under an entirely altered state of circumstances, we have considered it incumbent upon us, not to shrink from some responsibility in the early and firm establishment of the position, that the safe pursuit of trade in this part of the world (so remote from any means of judicial intervention) rests upon some surer basis than the constant existence of dispassionate fairness, upon the part of every person from whom money may be claimed.

Your Lordship will permit me to remark, that almost all the commercial operations of British subjects resorting to this country, will necessarily be mixed up with extensive transactions with native dealers. In that quarter, too, then very mischievous results could not fail to ensue if an idea were to get abroad, that in the actual state of things there were no certain means at hand to constrain an unwilling party, either to submit a commercial dispute to equitable means of inquiry and adjustment upon the spot, or to furnish reasonable security that the matter should be subjected to adjudication in another place. If such an impression be permitted to obtain, I should be wrong to refrain from declaring to your Lordship my own strong opinion, (formed from actual observation of events passing, and likely to pass, in these early stages of the relaxed system

---

[* *Foreign Office, February*, 1840.—These papers relate to a claim of Messrs. Turner & Co. upon Mr. Keating, for a sum of 300 dollars, a statement of which is given in Lord Palmerston's despatch to Captain Elliot, of November 8, 1836. The case is only interesting as showing the necessity there is for the Superintendents being armed with efficient powers to control British subjects in their intercourse and dealings with each other.]

system) that there would be much reason to apprehend a serious shock to the vast confidence which has hitherto been reposed in the faith and honour of the British trader. And upon the maintenance of that confidence the very existence of this commerce may be thought to depend; for, if the native merchant be brought to think, that the justice and fairness of the foreigner had failed, it is too probable he would also feel, that all had passed away upon which he could place any dependence. From his own Government he has little to look for, but general indifference, or perhaps exaction, whenever any pretext presents itself for interference in his concerns.

In the Act of Parliament to regulate the trade to India and China, it is, amongst other things, enacted, "That it shall and may be lawful for His Majesty, by such an Order as to His Majesty in Council shall appear expedient and salutary, to give to the Superintendents in the said Act mentioned, or any of them, powers and authorities over, and in respect of, the trade and commerce, and for the direction of His Majesty's subjects within the dominions of the Emperor of China." In the first Order, passed by His Majesty in Council on the 9th December, 1833, it was thereupon ordered, "that the Superintendents should be clothed for these purposes with all the powers and authorities hereto fore vested in the Supracargoes of the East India Company, save so far as the same were repealed or abrogated by the Act of Parliament." In the same Order it is then set forth, "that all the regulations which were in force on the 21st April, 1834, were thereby confirmed;" and it was further directed, "that they should be compiled and published."

Now, my Lord, it is respectfully submitted, that there were no regulations in existence of the nature contemplated in that Order in Council; the Supracargoes had been unaccustomed to interfere in commercial disputes between the very few private traders here; and whenever affairs involving either political or commercial difficulty with the Chinese presented themselves, they possessed abundant means of doing as much as was needful. No English subject was here without a license from the Company; and the Committee, in any case of emergency, had it in their power to apprize the Chinese authorities, that the license had been suspended, and that they would in no respect interfere for the adjustment of any debts the parties complained of might contract, subsequently to the date of that notice. The British shipping which resorted to China was under the complete controul of the Committee; they either belonged to the Company, or were chartered by it; and the country ships were furnished with licenses by the Indian Governments, withdrawable at pleasure, either by these authorities, or, in cases of exigency, by the Committee itself. There had been no need, therefore, for any body of regulations having respect to the general direction and controul of British subjects in China.

When difficulties presented themselves, the Committee acted according to the best of their judgment in the circumstances of the case, and it is plain that there was no lack of means to give effect to their resolutions.

It has certainly been the anxious desire of this Commission, upon every ground of consideration, to interfere as little as was possible, till further instructions should reach them from England; but in these particular cases they have felt themselves called upon to relax that rule. They interfered not only in a sense of justice to those of His Majesty's subjects who claimed their assistance, but principally [and this point can hardly be too frequently insisted upon] because they plainly perceive the practical necessity of setting aside the mischievous impression, that every British subject at Canton is at full liberty, in the case of a commercial dispute, either to concede or to refuse to submit his right to detain a sum of money claimed by another, to fair means of inquiry and determination.

Perhaps there is no place where a higher degree of mutual commercial good faith subsists than at Canton, or where it is more needful that such a feeling should be carefully fostered; and it is owing in a great degree to this very circumstance, that perhaps there is no place where larger facilities present themselves for the extensive abuse of that confidence; in the present conjuncture particularly, when an immense trade is thrown open

to

to general speculation and adventure, such opportunities and risks must be vastly increased. In the spirit and by the plain intent of the Act of Parliament, the Orders in Council, and our Instructions, it is clear that we are called upon to watch over and protect this trade; and I repeat that I know no circumstances more calculated to injure its best interests, than any admission of the position, that there are no means to oblige a British subject to comply with the demand of another to submit a commercial dispute involving the retention of funds to an equitable mode of adjustment here or elsewhere.

A second Order in Council, of the 9th December 1833, creates a Court of Justice, with "criminal and admiralty jurisdiction, for the trial of offences committed by His Majesty's subjects within the dominions of the Emperor of China, and the ports and havens thereof, and on the high seas, within 100 miles of the coast of China." The jurisdiction of this Court seems to be strictly of a criminal description, and therefore disputes of the nature I have adverted to could not fall within its disposal. But, indeed, even supposing that it were possible to strain the construction of this Order to the extent that it vested the Chief Superintendent with a civil admiralty jurisdiction, I know not, with the means we have upon the spot, how it would be possible to avoid most perplexing difficulties, in the attempt to adjust such disputes as these by any process of that kind.

One opinion Mr. Keating has delivered to the effect, that, in our present situation we have no authority to interpose upon the behalf of those of His Majesty's subjects who have claimed our assistance, seems to be founded upon a rigidly literal construction of that article of the instructions commanding us to take up our residence at Canton, and to exercise our functions there, and not elsewhere in the dominions of the Emperor of China, without His Majesty's sanction. We believe that the single object of this article is to deprive the Commission of the power to proceed to any other port in China than Canton, without His Majesty's authority; and we are of opinion that it is wresting it to a purport entirely foreign to its own intent, and to the whole spirit of the Act of Parliament and the Orders in Council, to construe these words in such wise as would, in point of fact, for the present, deprive the King of all authority over His Majesty's subjects in this country. I must once more assure your Lordship, in a very earnest manner, that I am persuaded we should be seriously jeopardizing national interests of considerable importance to abandon the right to interfere (so far as circumstances permit) to the extent that the Act of Parliament, the Orders in Council, and the Instructions have contemplated. We are authorised and commanded in those instruments to use our utmost efforts for the maintenance of peace and good order amongst His Majesty's subjects at Canton, and for the safe pursuit of this commerce; and we do not perceive that the acts of the native provincial authorities have relieved us from the most efficient discharge of those duties that circumstances admit. In the exercise of authority, it always behoves men in public stations to proceed with the utmost circumspection, (and surely, in the position we are placed in, it is pre-eminently incumbent upon us to be extremely cautious); but the concession of the right to interfere, upon such grounds as Mr. Keating has now advanced, would be a step which I must suppose would be very little likely to meet your Lordship's approbation.

Mr. Keating finds another argument in support of his exemption from any liability to do what we have required from him, in the fact that we are none of us directly appointed by the Crown. Upon this point it seems to be sufficient to say that the Royal Instructions providing for the filling of vacancies occasioned by the death, resignation, or removal of any members of this Commission have been strictly adhered to; and the appointments made in conformity with those Instructions have been publicly and officially promulgated in the newspaper. Any disregard of our authority resting upon grounds of this description is, in effect, a denial or disregard of His Majesty's lawful authority to make such provisions. I really feel, however, that it cannot be necessary to trouble your Lordship with a detailed reply to all the observations in Mr. Keating's letter of 11th June; but one circumstance, it is a duty

which I owe to this Commission, and I believe I may say to the public interests, to bring under your Lordship's particular attention.

At a certain period in the course of this protracted correspondence with Mr. Keating, he has neglected to acknowledge several communications which had been forwarded to him; and as we were informed that he had come down to Macao, and as the last of these letters had been returned unopened to us from Canton, it was handed to a young gentleman in the Secretary's office to be delivered to Mr. Keating at this place, in order that we might be assured it had reached his hand. Upon this occasion, Mr. Keating, to use his own language, appealed to his Excellency the Governor of Macao as to "our right to attempt legislation whilst unrecognized here."

I offer your Lordship my assurance upon my word, that the particular circumstance which drew from Mr. Keating this appeal to the Governor of Macao, is strictly confined, in point of fact, to the delivery of a paper to him, and, in point of intention, to the simple desire to ascertain that it had reached its destination. Mr. Keating, it might have been thought, had sufficient proof before him, that we had no disposition to attempt the execution of any formal acts at Macao, in the fact that the formal injunction we forwarded to him was signed within the limits of the port of Canton. I hope it will appear to your Lordship that there was no need for this description of appeal, or, indeed, I might say, of complaint, by a British subject to a foreign authority; and if Mr. Keating's proceeding in this respect has not involved us in embarrassing discussions with the Macao government,—which in our present position in China, might have led to a high degree of public inconvenience,—I must ascribe the escape to that state of perfect good understanding which subsists between his Excellency and this Commission.

Upon the whole, my Lord, we have interfered in these claims between Messrs. Turner and Co. (acting as the Representatives of absent British owners) and of Mr. John Smith, against Mr. Keating, because we believed, that it was within the plain intent of the law that we should intromit, if the need were, for the protection of Her Majesty's subjects in their lawful pursuits in cases of this description, and also for other reasons which it is unnecessary to recapitulate. In the absence of any defined practice, we recommended such a course as appeared to us to be consistent with the general spirit of British law upon such subjects, viz., the fairest investigation that circumstances permitted, and an opening for appeal to higher sources, if appeal should be desired. Mr. Keating has, however, rejected every overture either to adjust the demand preferred against him, or to submit to further inquiry upon the spot, or to give reasonable security that he would institute proceedings, in the nature of appeal, against the formal decision of the Superintendents in England, or to pay the money under a protest against the lawfulness of their injunctions. In fact, every effort we have made to induce him to submit these disputes to inquiry and adjustment has been alike fruitless; and, under these circumstances, we have felt it our duty (with a view to fix the principle of liability) to pay the sums claimed against him upon the public account.

It had been the intention of the Commission, at one period, to give publicity to all the circumstances of those cases amongst the British commercial community at Canton, and to declare that all persons thinking fit to transact business with Mr. Keating must be pleassd to conform to the understanding, that, until those debts were paid, the Superintendents could afford no facilities for the adjustment of any disputes which might arise with him; that is to say, in any transactions originating subsequently to the date of the before-mentioned notice. Upon full consideration, however, they refrained from resorting to that measure, upon the ground that it might lead to a public, and, judging from the tone of Mr. Keating's correspondence, probably not very temperate, denial of their authority as the King's officers,—a contingency they have considered it expedient, for obvious political reasons, to avoid. Mr. Keating has complained, in very warm terms, of the harshness and illegality of any proceedings of that description. He insists, that such powers cannot be granted to us, as they would

would not be recognized by the British Constitution as legal, even were the dispute in England, and with the Crown itself. He declares, that such a deed could only find a parallel in the arbitrary and tyrannical acts of the Star Chamber! It does not appear, however, that there would be any grievous practical injustice, of which Mr. Keating has a right to complain, in the notice; that, as he would conform to no mode of adjusting commercial disputes which had been proposed to him, and as he persisted in retaining a sum of money, in spite of the opinion of all the persons, commercial as well as official, to whom the matter had been submitted, the Superintendents must declare, that, for the future, they could not interfere in any similar discussion which might arise with him; and that all parties thinking fit to transact business with him, must be pleased to conform to that understanding. Such a measure would have been in sufficiently close analogy with a practice of which there has been no want of precedent here by the Company and their servants,—namely, the withdrawal of licenses. Had the dispute been in England, not with the Crown, as Mr. Keating has suggested, but precisely as the case is now, with an individual, the power of the Crown would probably have been invoked and applied in a very different form, that is to say, in the form of a sheriff's writ. Mr. Keating speaks of the hardship, cruelty, and illegality of these proceedings, but he has not said anything very satisfactory upon the fairness of his own conduct. I believe your Lordship will be of opinion, that there is no real foundation for these loud complaints of tyrannical and ultra legal intentions upon the part of this Commission; and Mr. Keating will probably find, at some future period, that these are not times when a man's own wrongous proceedings are to be glossed over by a tone of defiance, or by vague and vehement accusation of the nature he has advanced.

Practically speaking, the state of the case is this:—Mr. Keating entertaining opinions that there is an absence of all power and authority over him, takes advantage of that supposed state of circumstances, to retain in his hands a sum of money claimed by another person, in spite of the concurrent opinions of several of the most respectable merchants in the place, to whom the case was submitted by his own consent, in spite of the opinions of this Commission to whom it was afterwards referred by his own desire, and in spite of every proposition and injunction that has been made to him, to submit to further inquiry here, or to give security that further inquiry should be had elsewhere. It can be within the intent of no law to sustain proceedings of this kind, far less of laws, the avowed objects of which are the preservation of peace, the maintenance of good order, and the support of trade at Canton.

If it were admitted that Mr. Keating is perfectly right, and that every man has it in his power to do as he has done upon these occasions, it is pretty certain that the peace could not be kept, and that commerce could not be pursued in this country. The dread of publicity, and the consequences of such a notice as has been suggested, appear to be the only motives within any reach of operation here, which will always enable the public authorities in this country to constrain an unwilling person to submit disputed commercial claims to inquiry here or elsewhere. If both parties consent to defer the settlement of such cases to another time and place, there can be no necessity for public interference; but if one side seeks to be heard, and the other refuses to accede to the proposition, some proper mode of meeting such an exigency must be devised, or I am afraid that commercial operations in this country will be unsafe for respectable persons.

It remains for us, very respectfully, but earnestly, to entreat your Lordship to give the subject of this communication your best attention. If we might presume to offer an opinion, we would humbly suggest that an Order should be passed by His Majesty in Council, granting to the Superintendents authority to promulgate some provisional scheme of arbitration (in cases of need) by the compulsory process, in the manner proposed by Captain Elliot. In cases of contumacious resistance to submit to inquiry or adjustment, powers likewise to be given to declare to the British and Native commercial bodies, that subsequently to the date of that notification, no facilities existed for the adjustment of any disputes which might arise in the transaction of business with the recusant parties. In these particular cases adverted to in this correspondence, we would suggest with submission, that Mr. Keating should be once more called upon by your Lordship's desire, to pay the public claims

against him, and that he should be informed, that his failure to do so would be followed by a public notice to the effect I have just described.

I have, &c.,
(Signed) G. B. ROBINSON.

No. 41.

Sir G. B. Robinson to the Duke of Wellington.—(*Received January* 28, 1836.)

(Extract.) *Macao, July* 26, 1835.

I AVAIL myself of the departure of a ship for India, *viâ* Sincapore, to acknowledge the receipt of a despatch, from your Grace to the late Lord Napier, under date February 2, 1835.

Pending the arrival of those instructions I am now awaiting, I have deemed it my imperative duty to maintain the same position of affairs, regarding His Majesty's commission in China, that prevailed on the departure of Mr. Davis, and most thoroughly concurring with that gentleman in the sentiments expressed in his despatch of October 12, 1834, and minute in the records, under date 19th January, 1835; it is a source of satisfaction and congratulation to me, at this period, to reflect that nothing has occurred to render the adoption of the measures we may be commanded to pursue less easy or consistent.

Assuming your Grace's despatch to be written upon the receipt of the early communications from hence of the late Lord Napier, and previous to the arrival in England of all the details connected with the occurrences, proceedings, and ultimate catastrophe of his Lordship's departure from Canton, I cannot perceive, upon the most attentive perusal and consideration of its contents, that I should be justified in any deviation from that line of conduct to which I feel myself pledged to adhere, until I shall have the honour to receive further instructions, when it will be my anxious duty, and that of every officer of the Commission, implicitly to obey, and strenuously to endeavour to carry them into effect.

No. 42.

Sir G. B. Robinson to Viscount Palmerston.—(*Received March* 10, 1836.)

(Extract.) *Macao, October* 16, 1835.

I TRUST your Lordship will approve of the perfectly quiescent line of policy I have considered it my duty to maintain under the present aspect of affairs.

I have never, in the slightest degree, perceived a disposition on the part of the Chinese authorities to enter into communication, or even permit an intercourse, with the officers of this Commission. On the contrary, I am convinced any premature and ill-timed attempt to that effect would end in repulse and disappointment; and, as in the instance of Captain Elliot's visit to the city gate in January last,* involve additional contumely

---

* In the case of the officer and boat's crew of the *Argyle*.

contumely and insult, thereby greatly impeding the prospective adjustment of existing difficulties, as well as creating new and vexatious interruptions to the present quiet and prosperous routine of the trade, for no other object than the possible attainment of very theoretical, if not questionable, advantages.

I wish to point out to your Lordship, that, under all the disadvantages attending our present position, the commercial operations of the past season were brought to a favourable close, or rather, I should assert, were continued with unusual vigour and success, during the summer; and that, at this commencement of a new season, I see no reason to apprehend difficulties or interruptions. Being well aware of the importance of the object, I shall carefully avoid every risk of endangering its safety, unless imperatively called upon to interfere, on the occasion of unforeseen occurrences, when I must, of course, be guided by the exigencies of the case. I perceive, both on the part of the Chinese authorities and the British community, an anxious wish to avoid any reference to the officers appointed by His Majesty's Government to superintend the trade. So long as their interference does not seem necessary for the support of national character and reputation, or the ends of justice, I confess I conceive it injudicious to force it upon those parties who, however fallaciously, imagine they are independent of authority, on the plea, that this Commission is not formally acknowledged and recognized by the Chinese.

My anxious endeavours will be used for the maintenance of tranquillity and the prevention of disorders and difficulties of any kind. I see no reason to apprehend any of those evils, and I confidently await the proper period, when, being in possession of your Lordship's despatches, we shall see our course clearly, and ultimately succeed in carrying into effect the very spirit of those instructions with which we may be furnished.

No. 43.

Sir G. B. Robinson to Viscount Palmerston.—(Received March 14, 1836.)

(Extract.) *Macao, November* 11, 1835.

IT is a source of great satisfaction to me to point out the very quiet and regular progress of the trade, which being now fairly commenced for the season, appears to be carried on with vigour and success, under all the disadvantages attending our singular position.

It will be my anxious care to contribute, by any efforts in my power, to its welfare and advancement; but, confidently impressed with the conviction, that any movements or attempts to enter into communication with the Chinese authorities, would not only prove futile, but probably involve serious consequences, such as stoppage and interruption to the trade, I shall carefully abstain from any measures of the kind, until in possession of further information and definite instructions.

I am induced to reiterate this assurance from an apprehension that rumours of a contrary nature might at any time reach your Lordship, emanating, in a great degree, from interested parties, or from individual correspondence of English residents in China, many of whom are but too ready to anticipate evils, which they conceive would be likely to arise from our interference.

Considering the number of ships now in China, the very disorderly state of our mercantile marine service, and the peculiar position of affairs, it is a matter of surprise that so few difficulties have presented themselves; and I confidently anticipate the satisfaction of announcing to your Lordship, from time to time, that the important commercial operations of the season continue in a state of activity and progression.

No. 44.

Sir G. B. Robinson to Viscount Palmerston.—(*Received March* 28, 1836.)

(Extract.) *Macao, November* 20, 1835.

WITH reference to the case of Mr. James Innes, as entered in our records, under date 1st August and subsequently, it becomes my duty most forcibly to point out the unjustifiable seizure, or, more properly speaking, robbery of that gentleman's property, as well as the continued equivocation and evasion, rather than denial of redress for the grievance, or compensation for the loss sustained; and, earnestly begging your Lordship's serious and early attention to the subject, to commend in the highest terms, his extreme forbearance and moderation, under circumstances of the utmost provocation and irritation, when I frankly avow to your Lordship my conviction, that a more prompt and vigorous, though not equally prudent, resort to means at his own disposal, would have proved more efficacious, and, without doubt, tended to prevent the recurrence of similar outrages, a consideration of the highest importance to those parties engaged in the China trade.

If, under an impression that the officers of this Commission were, from the singular peculiarity of their position, unable to afford him assistance, or an idea, however erroneous, that they were not so disposed, Mr. Innes, in the excitement arising from a continued course of mendacity and insult on the part of the low Mandarins, in place of seeking for aid and assistance from those authorities appointed by His Majesty, who, however, it must be confessed, were not competent, from their critical position, to afford it, fell into the error of concerting measures for the recovery of his property by force, it only affords the strongest proof, if indeed any were wanting, of the deferential respect and extreme degree of propriety evinced towards them on this and every other occasion. That so loyal and patriotic a subject should readily forego his private interests, and abandon the measures upon the successful results of which he is extremely tenacious, in deference and respect to the high and responsible office I have the honour to hold, is not so much a matter of surprise as of commendation: and I sincerely hope and trust the very praiseworthy, and, at this crisis, most important example exhibited by Mr. Innes, will not fail to excite your Lordship's approbation and strenuous efforts to obtain redress for a grievous injury.

Under the promise given in my letter under date 7th August, I shall not fail to bring the case very pointedly to the notice of the Chinese authorities, in the event of my coming in contact with them previous to the receipt of an answer to this despatch; but not perceiving much probability of a successful issue, even should any such communication take place, I rest assured I shall have the honour of receiving some instructions by the earliest opportunity, and I conceive it is an imperative duty on my part to impress on your Lordship the importance of the subject.

The Chinese authorities being well aware the case has been brought to the notice of the British Government, will naturally conclude, that outrages of this nature may be perpetrated with impunity, if the present instance passes without notice; while British subjects, under the conviction that no redress can be obtained by reasonable, proper, and formal representation and appeal, will proceed to summary means for the protection or recovery of their property, alike dangerous to the welfare and safety of the trade, the preservation of peace and tranquillity, and the maintenance of that high national character and reputation which it is so desirable should continue eminently conspicuous.

In the present divided and discordant state of society in China, Mr. Innes apprehends, perhaps, with reason, that party spirit has materially operated to the prejudice of his cause with the Chinese authorities. It becomes, therefore, infinitely more necessary they should be convinced of the watchful attention of His Majesty's Government to the interests

interests of its subjects, and that our countrymen should perceive the advantages likely to accrue from a peaceable and prudent demeanour, and an appeal, in cases of doubt and difficulty, to those officers appointed by His Majesty to watch over the general safety and welfare with the most jealous vigilance.

It is an important feature throughout this case that no direct accusation of smuggling is alleged. The reply of the Keun-Min-Foo to my last address may be considered an acquittal of any such intention, and an admission of the robbery, with an exhortation to wait. It may fairly be taken as a demonstration of fear on the part of the Mandarins, who, according to their invariable custom, evade all inquiry, equivocate, and procrastinate to an incredible extent, but by no means decide the question, even according to their own pleading, against the foreigner. I am very much inclined to coincide with Mr. Innes in the supposition, that his goods are still in the possession of the Hoppo's people, who are as yet afraid to appropriate them, but will certainly do so eventually, if the affair is suffered to sink into oblivion.

I consider my communication to the Keun-Min-Foo to have been attended with very good effect, since the reply from that Mandarin, sent in a formal and official manner to my residence, is likely to prove very important at a future period, and I cannot but congratulate myself on the results of the intercourse I consider I have succeeded in establishing with a Chinese officer of his high rank and local influence.

Independent of other considerations, I will briefly call your Lordship's attention to the importance of the subject,* as connected with the safety and facilities of transhipment of goods outside the port, a system now carried on to a vast extent, and so universally practised, that it may well be considered an established custom. It is, indeed, of most vital importance to cherish and protect this privilege, if it can be so termed, and to check the lawless outrages of a set of miscreants, from circumstances daily increasing in strength and numbers, who are, perhaps, in the pay of the Mandarins,—at least protected by them on all occasions where opportunities occur of sharing the plunder; but I shall have the honour to address your Lordship on some topics in reference to the Lintin, trade, and, therefore, having so strongly advocated Mr. Innes's cause, and presumed, with all due deference and respect, to recommend his case to early and serious consideration, I trust I may be permitted to express my sanguine expectation, that a strong remonstrance on the part of His Majesty's Government, with a demand for redress or compensation, would be attended, if not with perfect success, at least with the most beneficial consequences. I would further venture to point out in what manner I conceive this demand might be made with most effect by the officers of this Commission, could I guess at the probable views and intentions of the British Government, and what our possible situation may be on the receipt of an answer to this despatch. If, as I would fain anticipate, we are then placed and supported in a position becoming officers of His Majesty the King of England, public servants—and functionaries of the British Government—lawfully constituted guardians and protectors of all British subjects and the valuable trade entrusted to our superintendence, I do not hesitate to assert, such a demand would fail not of immediate and complete redress, and prove of the greatest advantage in preventing that thriving and increasing outside trade, carried on now so successfully at Lintin, from the recurrence of accidents, whereby the safety of the inside or staple commerce with this country is liable to be placed in jeopardy.

To conclude, whatever view your Lordship may take of this affair, with my sentiments and proceedings thereon, I trust it is not necessary for me to add any thing like an assurance of the most profound deference and respect with which I shall implicitly obey and execute the very spirit of such instructions as I may have the honour to receive on this or any other point. Strict undeviating obedience to the orders and directions of which I may be in possession, with the full exercise of my best judgment, experience and abilities in all cases of doubt and difficulty, is the foundation on which I build an anxious hope that my conduct

* Case of Mr. Innes, an abstract of which is given in Lord Palmerston's despatch of November 8, 1836.

duct and proceedings in the highly important, though at present somewhat delicate, appointment I have the honour to fill, may prove such as to merit approbation.

I have, &c.,
(Signed) GEORGE BEST ROBINSON.

No. 45.

Sir G. B. Robinson to Viscount Palmerston.—(Received March 23, 1836.)

(Extract.) *Macao, November 24, 1835.*

THE immediate departure of two ships for England induces me to lose no time in enclosing copy of a notice which I yesterday deemed it my duty to circulate, for the purpose of obviating the extreme inconvenience, danger, and delay, consequent upon the necessity at present entailed upon the commanders of ships and others, of repairing to Macao for the purpose of obtaining a port-clearance, or the signature and attestation of documents, as well as in the anxious hope, that the existence of some authority at that place may tend to check the disorders and riots so prevalent in the merchant ships; and in an eminent degree prove advantageous to the interests of the important China trade, which, I rejoice to say, continues in a state of uninterrupted progress and activity beyond my sanguine expectations.

Being generally informed by the British community that this step is most anxiously desired, I considered, under the peculiar circumstances of the case, that it was better not to await a communication to our Board from the Chamber of Commerce, or other parties; but at once take upon myself the responsibility of a measure which has for some time occupied my thoughts, and which is, in my own opinion, likely to prove equally compatible with the ideas of the Chinese authorities and the people, and consistent with the line of conduct in which I persevered since I had the honour to assume the duties of office.

I shall defer entering more fully into this subject, until I shall again have the honour to address your Lordship from Lintin, when, I trust, my reasons will be satisfactory; and that I shall be in time to submit, with the greatest deference, my ideas and sentiments on the future management and controul of this valuable trade, in a manner likely to compass all the ends contemplated by Her Majesty's Government, without subjecting it to those constant and alarming interruptions which, I am of opinion, must inevitably accrue from the residence of the Superintendents, or other authorities, in Canton; in any case, I shall point out the absolute expediency of maintaining some kind of authority or official reference without the river; and I trust future experience will exhibit the correctness of my present opinion, that the Chinese, if they do not seize upon it as an alternative to facilitate the adjustment of difficulties, will interpose no impediments to the execution of the powers vested in me, to afford assistance and redress, in cases of aggression on the part of our countrymen, few of which, I am proud to say, have occurred; and the better regulation and controul of our sailors, of whose unruly habits and dispositions they ever evince a strong apprehension.

Well aware of the great anxiety that prevails in England for the prosperity and extension of the China trade, I cannot here omit the positive pledge and assurance, that I shall never hazard its interruption by any dangerous and speculative measures.

Inclosure in No. 45.

Macao, November 21, 1835.

IN order to obviate the inconvenience and delay at present entailed upon the commanders of British ships and others, by the necessity of repairing to Macao for the purpose of obtaining a port-clearance, or the transaction of other business, the Superintendents of the Trade of British subjects in China hereby give notice, that from the 25th instant, a member of His Majesty's Commission duly

duly authorized, will reside at Lintin, to whom reference may be made, on board His Majesty's cutter *Louisa*.

By order of the Superintendents of British Trade in China,

(Signed) E. ELMSLIE,
Secretary.

No. 46.

Sir G. B. Robinson to Viscount Palmerston.—(*Received March* 25, 1836.)

(Extract.) *Cutter* Louisa, *Lintin, December* 1, 1835.

IN my despatch dated November 23, I apprized your Lordship of my intention to reside at this anchorage.

I arrived here accompanied by Mr. Elmslie, on the 25th ultimo, and with great satisfaction have to remark upon the extreme attention and respect evinced by the commanders of ships lying here, more than twenty in number, as well as by numerous others touching in the prosecution of their respective voyages.

I have to call your Lordship's attention to the general wish of the British community, for the adoption of this or some similar measure; it was communicated to me in a private manner some months ago, but I delayed taking the responsibility of the measure upon myself, until the arrival of the *Marquis Camden* from England direct, 10th July, rendering it almost certain that no further intelligence could be expected until the season was very far advanced, I at once decided on meeting the present wish of, I believe, all the British community, although divided and dissentient as they are on almost every occasion, I can hardly expect but that a few individuals will hereafter raise objections, and perhaps secretly endeavour to prejudice, a measure calculated in some degree to lessen an influence they imagine they possess in Canton.

Sincerely, anxiously, as I hope that His Majesty's Government may be pleased to take measures to notice and resent the contumely and insults to which the late Lord Napier was subjected, so fatally terminating in his expulsion with that of the whole of His Majesty's Commission from Canton, and in the lamented death of that nobleman, I deem it an imperative duty to point out with the utmost deference, that all the ends contemplated, as I am informed, by the establishment of the King's Commission in China, may be amply and competently fulfilled, by similar powers to those with which we are invested within the limits (as I conceive they are erroneously termed) of the port, being extended to the Superintendents, or other more judiciously styled authority, without the river, or wherever they may find it most expedient to or resort.

If, on the arrival of this despatch, no definite or conclusive arrangement has been made, I would most respectfully suggest to your Lordship, that a short period will exhibit how far the present plan of an authority established either afloat or without the river, will prove efficacious and beneficial. I can safely assert it will ensure all the requisite capabilities for the control and assistance of British subjects; and it is not a matter of opinion with me, but of firm conviction, that unless placed in a becoming position at Canton, and in a proper channel of direct communication with the local authorities, an object most desirable no doubt, but in my opinion, only now to be achieved by a demonstration of force on the part of the British Government, which I do not hesitate to assert, would speedily and completely prevent all future difficulties, the residence there of the Commission would, even if permitted, and their interference and interposition in matters now arranged by the merchants themselves, Chinese and English, apparently without much difficulty, tend to the creation and extension of disputes, discussions, and endless causes of interruption and danger to the trade. In short, the less we have to do with the Chinese authorities and people, save when appealed to in cases of aggression and injustice, which I trust will be rare and trifling, the less apprehension may be entertained of those perplexing difficulties in which we are liable to be involved, mainly by the insecure and doubtful position wherein we find ourselves at Canton, unable to communicate with the officers of Government; completely at the mercy of interested and mercenary Hong merchants, linguists, &c.; and in the event of non-compliance

with all their demands, to be insulted in every possible manner; our servants taken away; provisions stopped; and houses unroofed. No alternative then remains but the most revolting submission, or removal from the port,—a result which I am justified in saying may be anticipated on the first occasion of discussion in Canton.

A case of homicide, as your Lordship is aware, will be the event most fraught with difficulty and anxiety. For the prevention of such a disaster, our residence at Canton avails nothing; an efficient police establishment at Whampoa, might, indeed, be a precautionary measure well worthy attention; but for framing rules, regulations and orders, and impressing them in a serious and formal manner on commanders, officers, and sailors, previous to vessels going up, as well as the adjustment of all accounts, disputes, &c., previous to their departure, this or some other outside anchorage is evidently the best position.

In the event of so unhappy a catastrophe occurring, as the death of a Chinese, we are helpless in Canton; we must give up a man, or men, or certain individuals in the first instance, and finally the officers of the Commission are threatened, annoyed, insulted, and ultimately compelled to retreat without the river, as in the case of the Company's factory in 1821-2; and then perhaps, and not till then, is the affair brought to some termination.

If the Chinese authorities wish to communicate with us, they will depute a Mandarin, or otherwise establish an intercourse, as in the instance before mentioned, when, not only the Hong merchants, but a Mandarin of rank, came down to Chuenpee, the very trouble and inconvenience arising therefrom having some effect in bringing matters to a conclusion. Should the Chinese authorities not wish to communicate with us, all efforts and expedients to compel them to it, are unavailing. Captain Elliot's visit to the city gates in January last may be adduced as a sufficient proof of this assertion; and experience fully convinces us of the inexpediency of similar attempts. On their inviting us to repair to Canton, either temporarily or permanently, it will be at our option to comply or decline, as may be most advisable, and it is evident, in the former case, we should find our position there very much strengthened and confirmed.

No. 47.

Sir G. B. Robinson to Viscount Palmerston.—(*Received March* 28, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, December* 10, 1835.

I SHALL not intrude so far on your Lordship's time, as to enter at length into a defence, if such be requisite of the course of quiescent policy, in which I flatter myself I have successfully persevered to the present moment, when I rejoice to say everything in this country manifests a state of uninterrupted tranquillity and peace, which I could hardly have ventured to anticipate from the very discordant state of society, the virulent party spirit and default of unanimity and good will existing among the British community in China, while the important trade of the season is in active, and I trust, successful progress under a tacit and mutual understanding and total abstinence and forbearance from communication, on the part of the Chinese and myself.

My position has been one of extreme delicacy and difficulty. Succeeding, in pursuance of the Instructions under His Majesty's Royal Signet and Sign Manual, to the high and important office I have the honour to hold, at a crisis when a false step or error in judgment might not only have led to extreme hesitation and difficulty in the arrangements which His Majesty's Government may deem it proper to make for the adjustment of affairs here, and their future management and controul, but have plunged the whole of His Majesty's Commission, all British subjects, and the valuable trade in which they are engaged, as well as perhaps life and property, in great jeopardy, or into an utterly hopeless and inextricable state of confusion and discord; my best efforts have been directed to maintain the precise position in which I found myself placed on the departure of Mr. Davis, whose recommendation to that effect has had due weight with me.

No. 48.

Sir G. B. Robinson to Viscount Palmerston.—(*Received April* 8, 1836.)

His Majesty's Cutter Louisa,
Lintin, December 10, 1835.

My Lord,

WITH reference to my present residence at this anchorage, I venture most earnestly to call your Lordship's attention to the very efficient manner in which I am now enabled to exercise a controul and superintendence over the merchant-ships resorting to, and remaining in China, from its centrical position; and the absence of all those impediments, difficulties, and annoyances on the part of the Chinese authorities, which I am confident must result from His Majesty's servants being at Canton, or in any degree in their power; as well as the many advantageous opportunities it affords of rendering aid and assistance to British subjects applying to me for advice.

I do not apprehend the least notice will be taken of my change of position by the Chinese, but am disposed to anticipate their tacit acquiescence in a measure calculated to meet their wishes for a controlling power over British ships and subjects, especially sailors, of whose singularities, and sometimes riotous conduct, they are ever in dread, and to afford them the means of obtaining redress in cases of injustice or injury, totally free from those harassing and endless difficulties originating in points of etiquette, forms of correspondence, and innumerable causes of dispute and altercation.

If on the arrival of this despatch no definite and conclusive arrangement has been decided upon, for the future management of affairs in China, I cannot but express a hope that the plan I am about to submit for your Lordship's consideration may meet with approval. I am anxious, however, to await the result of a short trial and further communications on this important subject from Canton. I trust I shall be able to suggest a method of accomplishing all the ends requisite to regulate and controul the affairs of British subjects in China, by an economical and efficient establishment outside the river, either at this or some other anchorage, without the least probability of giving rise to perplexing and anxious discussions with the Chinese authorities, whose object appears to be solely to keep us from Canton, or of entering into unnecessary communication with them, save when they may be compelled to invite us thither, or otherwise carry on a correspondence and intercourse.

To one point alone it is possible their attention may be attracted, and that is the circumstance of my being in the neighbourhood of the great and increasing emporium of the outside trade. In the event of their remarking on this part of the measure, I conceive it will be very easy to remove their objections, simply by changing my position to Chuenpee, the legal and usual anchorage to which the resort of our men-of-war has generally been sanctioned. Should, however, no great opposition occur, and I really see little reason for the apprehension, it must be evident that no position can be so eminently well adapted, as independently of a fleet of between twenty-five and thirty ships almost constantly lying here in full and active employment, every vessel passing up or coming down, touches either for the transhipment of cargo, or other commercial purposes; and I have seen upwards of fifty vessels assembled here on one occasion. To this may be added, that the accounts and claims of the compradors and other Chinese, and consequent payments, are rarely concluded until their final departure from Lintin.

In continuation of this subject, I shall shortly again address your Lordship.

I have, &c.,
(Signed) G. B. ROBINSON.

No. 49.

Sir G. B. Robinson to Viscount Palmerston.—(Received March 28, 1836.)

His Majesty's Cutter Louisa,
My Lord, *Lintin, December* 10, 1835.

IT is with great satisfaction I forward to your Lordship, copy of a letter this day received from the Secretary of the British Chamber of Commerce, on the subject of my residence at Lintin; in addition to which, I have been almost surprised at the expression of universal approbation, and even of obligation, on the part of every one connected with the trade to China with whom I have conversed on the subject.

With a view to point out the advantage that will accrue from the residence here of an authority competent to give advice, and, in cases of need, assistance, I wish briefly to bring to your Lordship's notice, a circumstance which took place here a few days ago.

On the arrival of the British ship, *Fairy Queen*, Captain Holmes, according to a common custom, dispatched an officer in charge of all the letters and packets to Canton, in a Chinese "fast boat" which he hired for that purpose. On the way up the boat was seized and detained by some inferior officers stationed at the mouth of the river, who, with a view of extorting money, put the officer in irons, with many threats and menaces, even of death, in the event of their demands not being complied with. Being a very young man, and a perfect stranger in China, he was naturally much alarmed, and wrote to his Captain a letter full of terror and distress, most earnestly imploring to be released by the payment of 500 dollars to the bearer. On receiving this letter, Captain Holmes came on board the cutter to receive my advice, when, entertaining no uneasiness for the safety of the officer, much as his being subjected to personal suffering and inconvenience was to be lamented, I recommended the detention on board the *Fairy Queen* of the Chinese bearer of the letter. As I anticipated, on the following morning, another Chinese came alongside, in a very small boat, with another letter and a smaller demand, stating the young man to be in a boat guarded by Mandarin soldiers, in a bay about five miles distant. This second letter detailed the officer's sufferings, his being confined in irons, with the alarming threats that were made to him; and added, that he was becoming very sick, and suffering from hunger and cold.

I cannot but remark on the extreme solicitude and anxiety evinced on this occasion by Captain Holmes, whose feelings and sentiments were highly creditable to him. But I deemed it advisable to dissuade him from the attempt he was desirous to make, of proceeding with his own boats and seamen to rescue his officer by force. In the event of his discovering the exact position of the boat in which the officer was said to be confined, there would have been every reason to apprehend an affray of a dangerous nature, in which life might have been lost, and the consequences of which might have been very serious. I was therefore glad to find him willingly listen to my counsel, and await the result of a communication, which I lost no time in forwarding to T. A. Gibb, the consignee of the ship, in Canton. To this I have as yet received no answer; but I am happy to say the young man has been restored to his ship in safety, although not yet informed of the process whereby his release was effected.

My present position enabled me to prevent mischievous consequences which would probably have ensued, had the Captain, utterly inexperienced and ignorant of the singularities of this country, proceeded with his seamen, naturally irritated and excited, to redress his own grievances, or, as might be apprehended in some cases, to revenge so great an outrage.

I beg here to point out, that, even had I been in Canton, holding that kind of intercourse with the Hong merchants, which, as it is at all times subject to their will and pleasure, appears to me wholly inefficacious, I should have been altogether unable to have prevented mischievous consequences until too late. And even had such consequences not taken place, as an officer of His Majesty's Government, totally unconnected with trade, my influence with the Hong merchants would have been secondary to that of Mr. Gibb, or any other gentleman of commercial influence about to load the ship,—a prospective source of profit

to

to them. In all cases of this sort, the officers of His Majesty's Government if at Canton, must be viewed by the Hong merchants, who derive no advantage from them, in a very insignificant light, compared to wealthy firms or individual British subjects largely engaged in commerce.

This may be considered as the most essential point of difference between the officers of the King's Commission and the late Select Committee of the East India Company, who with so powerful an engine in their hands as the Company's, independently of the influence they consequently derived over the country and trade, were regarded by the Hong merchants with extreme deference and consideration; to which may be added, their having at their disposal, during the period when difficulties were likely to occur, a well-ordered, disciplined fleet, affording, in cases of need, a display of officers, men, arms, and boats, unexampled in any other country or service, and surpassed only by the royal navy. The commercial character of the Company's factory rendered their residence at Canton, and familiar and constant intercourse with the Hong merchants, necessary during the season of business. But in all cases of discussion and difficulty, that intercourse was in a degree suspended, and, in some cases, an untoward circumstance failed of all adjustment, till after the withdrawal of the factory, and even shipping from the river.

Another point to which I would call your Lordship's attention, is the fact, that, in the present disorderly and disorganized state of our mercantile marine, any source of discord that has laid dormant during the voyage, or only partially exhibited itself, invariably breaks out on the ship's arrival at her first anchorage. It is here, then, that prompt and immediate steps can be taken for the suppression of riots, and the restoration of order and discipline. Even where my interference is not called for, I am enabled to impress forcibly on the minds of captains, officers, and seamen, those points to which their attention ought to be called in this peculiar country, and that they are amenable to punishment for an infraction of those rules and regulations, with a copy of which I propose hereafter to furnish each ship. While, on the other hand, ships coming down do not receive their port-clearance, or become independent of controul, until their actual and final departure,—a matter of extreme importance, and not practicable if the Superintendents are in Canton, as a captain applying for and obtaining his port-clearance there, would frequently remain within the river, or at this anchorage, for a period of some length, during which many irregularities might be committed.

I have, &c.,
(Signed) GEORE BEST ROBINSON.

Inclosure in No. 49.

Mr. Sprott Boyd to the Superintendents.

British Chamber of Commerce,
Sirs, *Canton, December* 8, 1835.

IT has been a source of much inconvenience to the merchants of Canton, and risk to the ships engaged in this trade, their being obliged to anchor at Macao to obtain the signature of His Majesty's Superintendents to their manifests. The new arrangement, by which this necessity is obviated, has therefore given much satisfaction to the members of the Chamber of Commerce; and I have much pleasure in complying with the request of the Committee, to return you their thanks for this instance of your attention to the interests of His Majesty's subjects engaged in the trade to China.

I have, &c.,
By Order of the Committee,
(Signed) W. SPROTT BOYD,
Secretary.

No. 50.

Sir G. B. Robinson to Viscount Palmerston.—(*Received May* 21, 1836.)

(Extract.) *Lintin, January* 5, 1836.

SOME official business requiring my presence at Macao for a few days, I have deputed Mr. Edward Elmslie, our Secretary and Treasurer, to attest the manifests of British vessels during my absence from Lintin.

I have great pleasure in assuring your Lordship, that far from any difficulties arising in my present situation, I am enabled to exercise a very salutary and efficient controul over our shipping, to aid and assist British merchants residing at Canton, and at the present moment are about to proceed to Macao, for the purpose of communicating with Mr. Morrison, on the subject of an application which has been made to me by a Hong merchant, for the recovery of a debt incurred by a Parsee native of Bombay.

On the part of the Chinese, I believe, no opposition will take place to my official residence here, but that they are likely tacitly to acquiesce in a step which promises to relieve them of much difficulty.

Your Lordship will readily comprehend, I am living on board a small vessel of seventy tons, at the total sacrifice of all personal comfort, and at a moment when the separation from my family is severely felt: and I cannot conclude this letter without bringing to your notice, that Mr. Edward Elmslie has willingly and cheerfully subjected himself to many privations and inconveniences in the praiseworthy and diligent discharge of his duties. I feel confident his efficient and active exertions in conformity with my views will be duly appreciated.

No. 51.

Sir G. B. Robinson to Viscount Palmerston.—(*Received May* 13, 1836.)

(Extract.) *Macao, January* 12, 1836.

IN my last address of the 5th instant, I apprized your Lordship of my intention to depute Mr. Elmslie to act, during my absence from Lintin, for a few days in attesting the manifests of British ships, and issuing port-clearances; and I am happy to say, I anticipate no difficulties in the course I have adopted, for the aid and assistance of the mercantile community of Canton, and the exercise of a salutary controul over all British ships resorting to China.

As a proof of the disposition of the Chinese to avail themselves of my interference in their behalf, I inclose copy of a letter from one of the Hong merchants, requesting assistance for the recovery of an alleged debt.

In so doing, I merely wish to bring to your Lordship's notice, the disposition of the Chinese to avail themselves of the interposition of a British authority in cases of need.

Inclosure in No. 51.

The Hong merchant Yunwo, or Punhoyqua, to Sir G. B. Robinson, respecting a debt of 6,400 *dollars, owing to him by a Parsee merchant, Aomatchee, or Hormusjee.*

A respectful communication. *December* 26, 1835.

In the tenth year of Taoukwang (1830), I undertook the purchase of certain goods on account of the Parsee foreigner, Hormusjee, amounting in value to upwards of 6,400 dollars. Our agreement was, that the money was to be repaid to me within a certain limited period after the delivery of the goods. All commercial contracts and agreements regarding time, between me and Hormusjee having been made by my assistant, Paoukwang, I sent him, at the expiration of the period, to receive the amount due. Contrary to expectation, Hormusjee put off the payment

ment from time to time till half a year had elapsed, and he still deferred. Seeing that he made no precise arrangement, I wished to insist on his doing so; but to my astonishment, he at length endeavoured to make pretexts, and create disturbance. I therefore, at that time, repaired to the Consoo, and requested a meeting of my fellow-merchants, to consult with them on the subject. I then immediately informed the Honourable Company, requesting their decision. The Honourable Company decided, that in reason, the debt ought to be repaid; and directed the Parsee, Mr. Tsengkeen, forcibly to detain Hormusjee, and to require him to pay the whole amount before he could be allowed to return home.

After this, years passed over, and I could only wait quietly for the money; as before, I obtained no information respecting it. But in the fifth month of last year the Parsee gentleman, Natabhoy, presumed to send Hormusjee home by stealth. When I heard thereof I hastened to inquire about it, and was told by Natabhoy that he had sent Hormusjee home in order that he might speedily remit money in payment. Finding that he had a person standing surety for him, I believed the truth of this. But now another year has passed over, and there is not a word about it, or a fraction of it. I have also heard lately that Natabhoy is about to return home in the vessel commanded by Kalek. From whom then shall I ask payment of this money? From whence shall I obtain restitution of my blood-earned property?

Considering that you, Sir, are the chief authority of your country, and that the regulation of the trade is confided to you, I am enabled to state the whole to you from beginning to end. I presume to request that you will grasp hold of justice, and will exercise your power to compel Natabhoy and Hormusjee, and oblige them to arrange this matter, and speedily repay the whole sum, not suffering them to have recourse to long and frivolous delays. Having already received a decision in my favour, I hope to have the same carried into effect, and to find that, from first to last, I have been supported. My gratitude will then be boundless. For this purpose I write to present my request. And wishing you every good, &c.

(Signed) PWAN WANHAE.

10th Moon, 7th day (December 26th.)

No. 52.

Viscount Palmerston to Sir G. B. Robinson.

Sir, *Foreign Office, May* 28, 1836.

HIS Majesty's Government approve of the proposal contained in your despatch, of December 1, 1835; and they are of opinion that it would be desirable to extend the limits of the powers of the Superintendents of British trade in China. I have, therefore, to instruct you publicly to notify that the jurisdiction of the Commission is to be extended, so as to include Lintin and Macao; and that from the date of the promulgation of such notification the authority of the Superintendents over British subjects and ships is to be considered as extending to Macao as well as Canton; and as being of equal force and validity within this extended jurisdiction as it has hitherto been within the limits of the port of Canton.

I am, &c.,

(Signed) PALMERSTON.

No. 53.

Viscount Palmerston to Sir G. B. Robinson.

(Extract.) *Foreign Office, June* 6, 1836.

YOUR despatch of the 20th November last, relating to the case of Mr. Innes, and the Records of the Proceedings of the Commission, from July 28th to August 16th, relating chiefly to the same case, were received here on

the 28th of March, the Records being inclosed in a despatch from Mr. Elmslie, the Acting Secretary and Treasurer, dated December 10, 1835. I gather from them the following information: that Mr. Innes, a British merchant residing at Canton, had conceived himself to be unjustly treated by the Chinese authorities, in consequence of their demurring to satisfy a demand he had made upon them for the restitution of some bales of merchandize belonging to him, which had been seized by the Chinese Custom-House Officers; and that, upon experiencing delay in the settlement of his demand, he had notified to the Governor of Canton his intention to procure redress for himself by acts of reprisal against the Chinese trade.

All the Papers relating to this case, are at present under the consideration of the law officers of the Crown, and until I have received their report upon them, I shall not be enabled to send you such precise and definite Instructions as the complicated nature of the transaction appears to me to require. But I cannot abstain from expressing to you the surprise with which His Majesty's Government learned Mr. Innes's intentions,—intentions which cannot be too strongly condemned; and which, if carried into execution, would have rendered Mr. Innes liable to the penalties of piracy. If Mr. Innes alone were concerned, he might be left to abide by the consequences of his own violence, but the proceedings which he threatens to adopt, would expose to inconvenience and danger the British subjects resident at Canton; and I have therefore to instruct you to prevent Mr. Innes, by all legal means, from executing his threats, if his own sense of their impropriety should not already have induced him to renounce them.

With regard to any expectation which may have been held out to Mr. Innes, that the authority of His Majesty's Government might possibly be exerted to procure for him the redress he has required, I must observe that his claim involves questions of considerable difficulty; and is by no means so clear and unquestionable, as to warrant any such measure as, "to make the recovery of Mr. Innes's property a subject of demand on the Chinese authorities, on your first formally coming into contact with them."

You will, however, avail yourself of any suitable opportunity to press upon the Chinese Authorities, the restoration of the property in question, unless those Authorities can show that the goods were seizable by the Custom-house regulations, in consequence of being found in the place where they were seized.

It must be remarked, however, that there was ground for unfavourable presumption against the goods; and that upon the principle contended for by Mr. Innes,—that the employer is responsible for the agent,—he (Mr. Innes) who was at the time employing the pilot Acha, who had charge of the goods, may be required to pay forfeit for the violation of the Chinese Custom laws by the pilot.

I am, &c.,
(Signed) PALMERSTON.

No. 54.

Sir G. B. Robinson to Viscount Palmerston.—(Received June 6, 1836.)

(Extract.) *Macao, January 16, 1836.*

FROM the results alone, since I had the honour to succeed to my present office, your Lordship will discriminate how far I am capable of appreciating the vast importance of an interrupted progress of the trade, in preference to attempting any speculative measures to effect a change in our position which, if achieved, might not prove of adequate advantage to the risk incurred.

To conclude, it is with extreme satisfaction I assure your Lordship, that I have never witnessed, during a period of sixteen years passed in the China service, a more quiet, regular, or, I trust, prosperous season than the present; and I can only pledge myself, that I shall never wilfully incur any hazard or danger to the important trade confided to my care.

No. 55.

No. 55.

Sir G. B. Robinson to Viscount Palmerston.—(*Received June* 6, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, January* 29, 1836.

IT must remain for the decision of your Lordship, whether my policy in abstaining from futile attempts to force ourselves into communication with the Chinese authorities, to the prejudice and risk of our present tranquillity, evinces prudence and sound judgment, inasmuch as this season is now well advanced, and likely to draw to a prosperous conclusion, without the occurrence of any serious difficulties or inconvenience. A large fleet of merchant-ships had been loaded and dispatched; commercial operations have been carried on with vigour, activity, and success; while the British and foreign community in Canton have not been subjected to annoyance, privation, and anxiety, of which they might have justly complained, had any measures of mine led to a recurrence of those perplexing and vexatious discussions, certain to end in defeat, failure, and disgrace.

That no misunderstanding may take place in regard to my views as respects our policy in China, I consider it right to assure your Lordship, that to keep out of difficulties is my object, rather than voluntarily to encounter, for the sake of perhaps overcoming them. In our present position, I have deemed it most prudent to let things take their course, so long as that course continued smooth and prosperous, in preference to endeavouring to mend matters by extremely hazardous experiments.

All attempts at communication with the Chinese authorities at Canton will prove unavailing at present, they are determined to oppose and defeat them; but they are perfectly willing tacitly to permit our controul and superintendence of British subjects, provided we do not repair to Canton. Natives are forbidden to assist or serve us in any such attempt; heavy punishment is to be inflicted on any person who receives us into his house; and every endeavour on their part seems directed to the one point, which I consider to be so eminently important to achieve, namely, an exact reverse of our position, by our being invested with full powers without the river, whereby I am positive every end for which this Commission was formed might be accomplished, and both the King's officers and British Residents exempted from those disgraceful and prejudicial humiliations and annoyances, which I feel assured will follow our forcing our way to Canton, or holding an imaginary intercourse (for such it must be) with the Hong merchants, thereby actually creating our own sources of complaint, by strengthening and cherishing that very body of monopolists, and, to use their own term, "restrainers and compellers of barbarians," in place of exerting all our efforts to overcome (not by violent measures, be it understood) all their incessant machinations and contrivances to keep us in an abject state of subjection.

No. 56.

Viscount Palmerston to Sir G. B. Robinson.

(Extract.) *Foreign Office, June* 7, 1836.

YOUR despatches of the 16th and 29th of January, were received here yesterday, and His Majesty's Government is accordingly furnished with some means of forming an opinion with regard to the measure which you adopted in the month of November last, of taking up your residence at Lintin.

As to the advantages which you anticipate would result to British commerce from the formation of a permanent establishment at Lintin, of the nature of that

which you suggest in your despatch of December 1st, 1835, I have to say, that, after duly considering what you have said yourself in favour of such an establishment, and the reasons against it, His Majesty's Government do not feel that they have yet been put sufficiently in possession of the means of forming any final opinion upon this suggestion; and I, therefore, cannot authorize the permanent residence of the Commission at Lintin, until I have received further information upon the subject.

You are not, however, to understand from what I have said above, that I disapprove of your having resided for some time at Lintin. So imperfectly informed as I am, with respect to what can be stated for and against the step you had adopted, I am obliged to take for granted that your reasons for having adopted it, appeared to you to be of sufficient weight to counterbalance the inconveniences attendant upon your having separated yourself from your colleagues; and having undertaken alone to carry on the business of the Commission, without waiting to learn whether your Government coincided in your own particular views, or not.

It has long been the intention of His Majesty's Government to reduce the establishment in China: this measure is called for by the necessity of practising economy in every branch of the public service; and is justified by the extent and nature of the business which the Commission has to transact. For the due despatch of this business, I am of opinion, that an establishment considerably less than that which now exists will be sufficient. I cannot yet exactly state what may be the precise nature of the future establishment; but I am clearly of opinion, that there is no longer any occasion for the continuance of the office of Chief Superintendent. It, therefore, now becomes my duty to acquaint you, that His Majesty's Government have decided to abolish at once the office and salary of Chief Superintendent. In communicating to you this decision, I have at the same time to inform you, that your functions will cease from the date of the receipt of this despatch. You will make over to Captain Elliot all the archives of the Commission; which will, of course, include copies of every despatch, and its inclosures, which you have addressed to this department during the period you have acted as Chief Superintendent.

No. 57.

Sir G. B. Robinson to Viscount Palmerston.—(*Received June* 14, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, January* 29, 1836.

IN a former despatch, I intimated my intention of submitting for your Lordship's consideration, the plan of an establishment which, I conceive, would fully and efficiently accomplish the ends contemplated by His Majesty's Government, for the general Superintendence of the Trade, the controul and assistance of the mercantile community, and more particularly, that most essential branch of our duties,—the better management and regulation of the ships, without danger or interruption to the quiet progress of the Trade, or subjecting the King's officers, as well as all our countrymen, to disgraceful humiliations, constant annoyances, privations, and, it is to be feared, severe loss and detriment, which I cannot but too surely apprehend will ever attend the residence of a British authority in Canton, unless properly established there, and duly acknowledged and respected by the Local Government.

Before I proceed, however, I must distinctly avow my opinion, that the attainment of so important a point as the establishment of His Majesty's Commission at Canton, in a proper and becoming position, is one most desirable in itself, and likely to be attended with the greatest advantages and benefits; but I firmly believe that, unless by force of arms, it will never be achieved. The events of some years past militate in no small degree against any rational hope, that, without intimidation, and, I fear, ultimate resort to hostilities, a proper understanding

standing could be established, although not a doubt can be entertained of the perfect success that must attend the adoption of vigorous and efficient measures on the part of the British Government.

The destruction of one or two forts, and the occupation of one of the islands in this neighbourhood, so singularly adapted by nature, in every respect, for commercial purposes, would, I am positive, promptly produce upon this barbarous nation, arrogant in proportion to their ignorance, every effect we could desire, and at once and for ever place our Trade and political relations with the empire on a respectable, safe, and becoming footing.

But it is by no means my duty or intention to offer suggestions of this nature, save as the means of conveying my opinion of the perfect certainty of success, and the immense advantages that would emanate therefrom, in the event of His Majesty's Government at any time deeming such a course advisable. On the contrary, my object is to point out the little necessity that exists for so total a change of policy, by the adoption of an alternative which now presents itself, for the almost imperceptible adjustment of existing difficulties, and the future management of affairs, as well as reduction in expense consequent upon this change in the nature of our establishment.

The Chinese seem to have but one object; that is, to prevent our establishing ourselves permanently at Canton. It appears to me, then, injudicious and vain, to persist in the endeavour to place ourselves completely in their power, and entirely under their controul and thraldom, when the very locality of that place alone, renders our residence there almost incompatible with the duties we have to discharge, and exposes British merchants in a tenfold degree, to inconvenience and danger, arising from our collision with the Mandarins.

I conceive the principal object of maintaining a British authority in this country, is to exercise a salutary controul over the safety, conduct, and perhaps property, of the King's subjects in China; to arbitrate and assist in the adjustment of disputes and differences; and to prevent the occurrence of actions or proceedings, whereby the natives of China may be wronged or aggrieved; or to the prejudice of that high national character and reputation, which it is so desirable to uphold and maintain, even for policy and interest alone.

To these ends, a full and efficient controul over the shipping is the main point; little else seems requisite. While that power is retained in our hands, and exercised when necessary, with judgment and discretion, little difficulty will exist in the management of other matters, No man can quit the country, or evade the fulfilment of just claims against him; and it cannot be doubted that the knowledge of our ability effectually to interpose our lawful authority, will check those evils which might be expected to result from the total absence of any officer of His Majesty's Government, unconnected with Trade, unbiassed by party feelings, and ever vigilant over the safety, welfare, and bearing of the King's subjects.

Feeling somewhat doubtful how far my residence at this anchorge, on board this little vessel of seventy-four tons, in conformity to the public notice under date November 21, would answer the expectations I had long since formed of its utility and advantage. and being uncertain in what manner the Chinese would view the change of position I had assumed, trifling as it is, I delayed this despatch until the present period, when the season is well advanced, and I am competent to speak with confidence and truth on the efficient means I here possess to discharge at least a most important part of my duty.

In this place I shall not enter into any argument on the mischiefs attendant upon that disunion and opposition which I fear inevitably results from the existence of a Council or Board of three or more persons, but under the impression that the management of affairs would devolve infinitely better on a single individual, whose views and proceedings, not liable to opposition and counteraction, could be carried into effect on his whole and sole responsibility, I submit, with all due deference, that he should reside on board some vessel in the vicinity of the shipping, completely out of the power, and free from the restraints, of the Chinese. His situation should be centrical, for general communication, and his means of locomotion entirely unshackled. To effect this, and to afford him a comfortable habitation, I would suggest the purchase or hire of a small merchant vessel [about two hundred tons], capable of accon modation for the Chief Superintendent. A Secretary to suceeed to his office in the event of death or absence, and one or two clerks; sufficient room for a master and crew of about twelve

good steady seamen, two of whom might be sworn in as constables, to act as occasion required. Room might also be found for a medical man, whose presence in a large fleet is of the greatest advantage, and a space devoted for the reception of a person under arrest, or whom it may be desirable to take out of his ship. The expense attendant upon such an establishment would be trifling indeed, compared with that of the present Commission, if permanently fixed at Canton, or elsewhere on shore, and its utility and efficacy in my opinion beyond all calculation.

The duties devolving on the head of such an establishment, would be, to receive the registers and papers of ships arriving; issuing precise and distinct orders and regulations for the guidance of captains and seamen, who are to appeal to him in serious cases of disturbance or complaiut on board ship, and invariably on every occasion where natives of China are concerned, in place of taking the law into their own hands, and seeking to redress their real or imaginary grievances. To listen patiently and attentively to any Chinese who may be injured or aggrieved, and, by the power with which he is invested, to afford them redress, and, if possible, indemnification; to attend to the better ordering and discipline of the ships, by watchful observation over both commanders and seamen; and by every means in his power, to improve and ameliorate the present disorganized state of the mercantile marine. I venture to predict, with confidence emanating from my own experience, that much may be done by precept and example, combined with the power vested in an officer of His Majesty's Government.

An idea will naturally suggest itself, that for the above purpose, a man-of-war would be best suited. I have no doubt of the advantage that would accrue from one of His Majesty's ships being permanently stationed in China, and that, as far as our countrymen are concerned, especially sea-faring men, she would prove doubly efficacious and useful; but my experience in this country convinces me the Chinese would never tolerate (at least for some time to come, until they become assured that no ulterior or sinister views were in contemplation,) her permanent stay even outside the river, and that any attempt to carry her within the Bocca Tigris would be utterly futile. Time, indeed, might change their prejudices and inveterate dislike to any appearance of a military force; but for the present, a mercantile ship or vessel, divested of all warlike appurtenances, is obviously requisite. She might hoist a distinguishing and appropriate flag; and it has been suggested to me, by a very intelligent Chinese, from whom I candidly confess I have received many hints, that a pendant or flag, bearing the Chinese characters of civil officer, would be very suitable to their own ideas. I doubt not such a vessel would be allowed to pass the forts and move about at pleasure; indeed, were it necessary, I conceive her permanent anchorage at Whampoa during the season would be sanctioned. Whilst, however, a competent effect resulted from her station being without the river, I should strongly advocate that no chimerical views of improvement were allowed to overcome the most prudential forbearance and compliance with prejudices absurd as they may be.

So firmly convinced am I of the advantages that would attend the immediate adoption of the plan, that I have been nearly induced to purchase one or two vessels which have been offered at moderate terms for sale, and were well adapted for the purpose. Nothing prevented my so doing, but the anxious wish to avoid even an appearance of presumptuously carrying my individual views into effect, until I was honoured with the expression of your Lordship's approbation.

In this place it may not be irrelevant to remark, that it is foreign to my disposition and feelings to act upon the impulse of the moment, and I may venture to pledge myself, that even in very trifling and unimportant affairs, I shall ever defer undertaking measures in accordance with my own wishes, without the sanction and authority of your Lordship.

I firmly believe that, on the first issue of my public notice, there was hardly one, if any, adverse voice or sentiment; I was thus informed on every side; but I lament to assert, that there exists such bitter and inveterate party feeling in this place, that whatever one set or party propose and advocate is certain to be violently condemned, opposed, and, if possible, counteracted by the other.

It is not necessary I should disgust your Lordship by the relation of the evil consequences produced of late years by this lamentable spirit. I will only express a hope that it may die away in time, and cease to act to the extreme prejudice and detriment of the public welfare and our national character.

It may, however, I repeat, affect the measure in question; and therefore I feel compelled to exercise a degree of reserve and circumspection repugnant to my feelings, and quietly and unobtrusively bring things into such a train, that, if I should be gratified by the expression of your Lordship's approbation and definite instructions, no perceptible change will be apparent. It is my determination, therefore, at the total sacrifice, however, of my personal comfort and domestic happiness, to reside principally on board this little vessel at her present anchorage, and thus establish, in a great degree, my position. In this there is no change of the policy hitherto adopted, or the slightest deviation from the principles I entertained ever since the expulsion of His Majesty's Commission from Canton. It is no relinquishment of pretension, but simply an effort to secure a better position, or, more clearly speaking, to make the best of a very bad one. After being so ignominiously expelled from Canton, where an attempt to establish ourselves produced such extraordinary inconvenience, detriment, and anxiety, not only to our own countrymen, but even to the foreign community in general, when Edicts have been issued, threatening severe punishment to all natives who may be suspected only of serving or assisting us, when the disastrous results and criminal accusations by which perfectly innocent men were involved, and unhappily suffered persecution and torture, are before our eyes, is it possible I could have ventured to risk, or rather entail, a repetition of those evils, by madly attempting to repair thither?

If, therefore, we cannot place ourselves within the defined limits specified in our instructions, I am surely better situated on board a vessel belonging to His Majesty than in a Portuguese settlement, at which His Majesty's Commission is likewise unacknowledged, isolated from the great body of shipping, far removed from the first anchorage to which they all resort on arrival, and incapacitated from affording prompt and efficient advice and assistance in numerous cases where my presence alone has prevented serious evils, and tended to maintain the idea, especially amongst sailors, that there is an authority existing in this country competent to redress grievances and punish offences. I could adduce numerous instances, but I forbear to intrude further on your Lordship's time, except to add, that intelligent Chinese have strongly insisted that no difficulties are to be feared so long as I do not endeavour to force myself into communication or correspondence with the Canton Authorities, neither is any notice likely to be taken of my official residence here; and I was informed by a Chinese who came from Canton to see me on other business only a few days ago, that much satisfaction was felt by the shopkeepers and similar classes at the information: a reference to me would at all times avail them in the fair settlement of their claims, against ships or individuals on the point of departure.

Implicit obedience to the very spirit of any instructions I may have the honour to receive will be my first care; should they, however, not militate against the continuation of my present system, or direct the adoption of very opposite measures, I shall deem it my duty to persevere quietly in it, gradually extending my controul over British ships, and establishing, by the force of habit and custom (the most powerful talisman in China), the foundation of that establishment I have suggested.

I would here respectfully solicit your Lordship's attention to the subject, that in the early part of next season, every preliminary may be arranged. The ships will leave the river very early, and during the summer months I shall endeavour to prevent any irregularities taking place amongst the many British vessels now about to proceed for rice and other Straits' produce, and likely to anchor or resort, during the summer months, to this or the adjacent anchorage of the Cumsingmoon, as well as any collision between our countrymen at Canton and the Chinese, of which, however, I see little chance; nor do I entertain the least apprehension of any difficulties, unless, indeed, created by any injudicious attempts on the part of this Commission to produce an alteration in our position, little likely to prove an amendment.

To use the common, but applicable maxim, of "Letting that which is well alone," I shall carefully avoid all danger and risk of any change of a doubtful nature in its prospective effects.

No. 58.

Sir G. B. Robinson to Viscount Palmerston.—(*Received June* 14, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, February* 1, 1836.

WITH reference to my despatch of January 29, wherein I trust I have succeeded in exhibiting the advantages that would, in my own opinion, emanate from the establishment suggested, of a British authority resident in some vessel in the immediate vicinity of the shipping, or the most centrical and convenient anchorage for communication with them, I have briefly mentioned that I conceive the sole direction, management, and responsibility of affairs, would better devolve on one individual, than on a Council or Board of three. Generally speaking, since I came to the country, I have been aware of great difference of opinion existing between the members of the Select Committee of the East India Company, and in the remarkable discussions of 1829—1830, the effect was obvious enough, acting to the full extent of completely counteracting the views and efforts of both parties or sides, for so I cannot but call them. Disunion in council, adverse and different opinions and interests, with the consequent opposition, extending itself even amongst the shipping, has unfortunately furnished the Chinese with a most powerful weapon to turn against ourselves, of which so astute and discerning a people failed not adroitly to avail themselves. Failure, defeat, and disgrace have consequently attended all "discussions" as they are termed, and I can only anticipate similar results in future.

Facts speak for themselves; it is vain to recur to the errors of past years, save as a warning and beacon for the future. Should my views and suggestions seem worthy of adoption, one individual, in whom is vested a power and authority legally constituted and competent over all British subjects, within a certain distance of the coast of China, residing afloat or even if it may be practicable on shore, in any place or position that may seem most expedient and desirable, will ever be more unanimously supported and aided by his countrymen, and, therefore, enabled to carry any rational views, in conformity to his instructions, into operation, on his own personal responsibility.

To provide for the contingency of death or absence, a competent confidential and responsible Secretary, might qualify himself, by the discharge of more detailed duties and an attentive observation of passing events, to succeed to the office of the Chief; and an Assistant Secretary duly qualified to take the Secretaryship, being on the spot, I conceive the establishment would be complete, with occasional clerks, who, however, would scarcely be required, if all three took an active share in the duties of the service.

The peculiarity of this country and the singularity of our relations with it, commercial and political, although the latter term seems superfluous, render it a point of infinite importance that the successors to office should practically acquire that experience and knowledge so essential for a judicious exercise of the great power vested in the hands of one man, by a previous residence therein. I know of no place in this world, where the ideas, opinions, and prejudices of strangers or those recently arrived, undergo so great a change as in China, until very lately a *terra incognita*, and inaccessible, save to a very limited number of individuals.

It may seem somewhat presumptuous in me to offer any hints on the adequate remuneration of these officers, but I must observe that the situation of Chief is evidently one of extreme importance and responsibility. The merchants of Canton are a very wealthy body of men, expensive in their style of living and in the habit of estimating others (and such would especially apply to a public man), according to their pecuniary worth and resources. The agents of the East India Company derive much of their consequence from the nature of their appointment, between which and that of His Majesty's officers there would exist little comparison, considering the allowances granted them, and the liberal pension upon which they will retire after a period of twenty-two years' service, during which it is to be supposed they must have acquired an independent fortune; but I feel the subject is a delicate one, and it can hardly be considered becoming on me to enter upon it.

For

For the office of Secretary and Assistant Secretary, the salary of 3,000 *l.* and 1,500 *l.* per annum, appear proportionably appropriate, and I trust I may with propriety express a hope, that any officer of His Majesty's Government may ever be enabled to live in a style suitable to his rank and station; and that the very great sacrifice of every advantage of civilized life, the numerous and serious privations and annoyances accompanying an exile in this disagreeable country, may be taken into liberal consideration.

On the probable expenditure requisite for the vessel suggested, and the contingent demands, I shall address your Lordship in another despatch. It will not, however, be deemed, I feel certain, unreasonable, considering the nature and extent of the advantages accruing.

No. 59.

Viscount Palmerston to Sir G. B. Robinson.

Sir, *Foreign Office, June* 15, 1836.

SINCE the date of my despatch of the 7th instant, your despatches of the 29th of January and 1st of February, from Lintin, have been received and laid before His Majesty's Government. And I have to state to you in reply, that there does not appear to be anything in those despatches to render necessary a change in the arrangement which has already been decided upon, and which was communicated to you in my despatch above referred to.

I am, &c.
(Signed) PALMERSTON.

No. 60.

Viscount Palmerston to Captain Elliot.

(Extract.) *Foreign Office, June* 15, 1836.

HIS Majesty's Government having decided, for the reasons stated in my despatch to Sir George Robinson, of the 7th instant, to abolish the office and salary of the Chief Superintendent of British Trade in China; the duties of that office have now devolved upon you, as the Second Superintendent. Sir George Robinson has been directed to make over to you all the archives of the Commission; and you will, from the date of the receipt of this despatch, consider yourself as the Chief of the Commission.

No. 61.

Sir G. B. Robinson to Viscount Palmerston.—(Received July 4, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, February* 5, 1836.

I SEE no grounds to apprehend the occurrence of any fearful events on the north-east coast, nor can I learn what new danger exists. I am assured, from the best authority, that the scuffles between different parties of smugglers and Mandarins, alike engaged and competing in the traffic, are not more serious, or frequent than in this province. In no case have Europeans been engaged in any kind of conflict or affray; and while this increasing and lucrative trade is in the hands of the parties whose vital interests are so totally dependent on its safety and continuance, and by whose prudence and integrity it has been cherished and brought into its present increasing and flourishing condition, I think little apprehension may be entertained of dangers emanating from imprudence on their part. Should any unfortunate catastrophe take place, what would our position at Canton entail upon us but responsibility and jeopardy? from which we are now free.

On the question of "Smuggling Opium," I will not enter in this place, though, indeed, smuggling carried on actually in the Mandarin boats can hardly be termed such. Whenever His Majesty's Government direct us to prevent British vessels engaging in the traffic, we can enforce any order to that effect; but a more certain method would be to prohibit the growth of the poppy and manufacture of Opium in British India; and if British ships are in the habit of committing irregularities and crimes, it seems doubly necessary to exercise a salutary controul over them by the presence of an authority at Lintin.

No. 62.

Sir G. B. Robinson to Viscount Palmerston.—(*Received July* 4, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, February* 8, 1836.

I MUST be permitted to call your Lordship's attention to the fact, that any deviation from the line of conduct so judiciously inculcated by my predecessor, Mr. Davis, might (indeed I am certain would) have led to difficulties and interruptions to the trade, accompanied by innumerable and unforeseen sources of anxiety and risk, in place of the present aspect of affairs, at the conclusion almost of a most successful commercial season: had those consequences resulted, to whom would the responsibility attach? obviously, I think, to myself, as I felt it did on the occasion of the Second Superintendent's visit to the city gate; and while I allude to that unfortunate proceeding, I must apprise your Lordship that during that gentleman's short stay at Whampoa, when concerting measures for proceeding with two armed vessels to recapture the boat's crew of the *Argyle*, private letters reached me at Macao, pointing out the immediate determination of the Chinese Government to stop the trade until he quitted the river. I lost no time therefore in privately requesting him to return, and from that period firmly resolved to abstain from any attempts at intercourse with the Chinese, until in possession of further instructions, unless indeed anything like an advance had been made on their part; but I can safely assert that, far from evincing any such disposition, they seem carefully to avoid the possibility of any collision with us. At the same time, it must be observed, they tacitly acquiesce in our remaining at Macao, and also in my official residence at this anchorage, to which I only anticipate objections if the bitter party spirit raging at Canton, should induce ill-disposed or interested individuals to attract their attention to the subject, in an unfavourable or suspicious point of view.

At the suggestion of some of the principal commercial gentlemen at Canton, and I believe in accordance with the wishes of the whole community, I proposed the plan of assisting them to the utmost of my ability by residing at this anchorage, in place of remaining comfortably at Macao with my family, thereby entailing on merchants, captains, and British subjects in general, the delay, danger, and inconvenience consequent upon the necessity of resorting thither on all matters of business.

It may be necessary to explain to your Lordship, that large ships cannot approach Macao at any time; and that in strong winds it is difficult, sometimes impracticable, to communicate with the shore. Vessels in Macao Roads are often liable to be blown out to sea while the captains are on shore; and must be at all times exposed to considerable risk and danger, whereby the insurance would be affected, whereas they are in perfect safety, and may be detained, if requisite, at this anchorage without the least apprehension.

No. 63.

Sir G. B. Robinson to Viscount Palmerston.—(*Received July* 4, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, February* 10, 1836.

I HAVE the honour to inclose to your Lordship copy of a letter from the British Chamber of Commerce, and my reply thereto, as also of a letter I consequently addressed to Mr. J. R. Morrison.

That gentleman shortly after visited me at Lintin, where I explained fully my views and opinions on the subject of his residence at Canton, and furnished him with precise and positive instructions for his guidance on certain points; in others, much must be left to his own prudence and discretion,—of which I entertain a very high opinion, and rest perfectly assured and satisfied that no serious evils will result from his resorting to the provincial city, perfectly in a private character, and solely for the purpose of assisting the British community in matters of a commercial nature; but at the same time I must confess, I cannot at this time approve of the resort to Canton of any member of the Commission; and I have apprized Mr. Morrison of my intention to recall him on the first appearance of any difficulties or inconvenience emanating from his interference or interposition.

No. 64.

Sir G. B. Robinson to Viscount Palmerston.—(*Received July* 1, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, February* 27, 1836

THE Trade is going on; a friendly understanding subsists between our mercantile community and the Chinese, ample for all commercial purposes, and a mutual abstinence and forbearance from every source of discussion and consequent enmity, evinces, in my opinion, sound judgment and discretion.

On the subject of attempting to communicate with the local authorities through the medium of the Hong merchants, it is scarcely necessary for me to comment. The very act of such intercourse with them will ever preclude the possibility of our coming into more intimate contact with the Mandarins. But it is no communication, inasmuch as they will ever decline to deliver even our petitions, on all occasions relating to the extortions, exactions, oppressions, and corruption of their own body, against whose power and monopoly we have principally to exclaim, and for the annihilation of which our strongest efforts ought to be exerted.

From a people so arrogant and barbarous, nothing is gained by undue humiliation and self-abasement. They are generally disposed to respect us, in proportion as we respect ourselves. Under existing circumstances, the less we have to do with the Chinese authorities, the more probable it is we shall avoid difficulties and dangers, by which not only our present tranquillity may be endangered, but our future arrangements affected.

No. 65.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, July* 22, 1836.

WITH reference to that part of your Minute of the 27th of December, 1835, inclosed in Sir George Robinson's despatch of the 18th of February last, in which, for the reasons therein stated, you advised that the commander of the steam-boat *Jardine* should be enjoined, on the King's authority, by no means to proceed up the river to Canton, I think it necessary to recommend to you great

caution in interfering in such a manner with the undertakings of British merchants. In the present state of our relations with China, it is especially incumbent upon you, while you do all that lies in your power to avoid giving just cause of offence to the Chinese authorities, to be at the same time very careful not to assume a greater degree of authority over British subjects in China than that which you in reality possess.

I am, &c.,
(signed) PALMERSTON.

(*Minute referred to in the foregoing Despatch.*)

Macao, December 27, 1835.

I HEAR it very generally reported to-day that the steam-boat *Jardine*, now at Lintin, is to proceed to Canton on Tuesday or Wednesday next. The disquietude of the Provincial Government upon the subject of this vessel had already been manifested in an Edict, desiring that she should leave the country; and I am informed a request to let her ply in the river as a passage-boat has just been negatived. In the present state of circumstances, I feel it my duty to advise that a public letter should be forthwith addressed to the commander of the steam-boat, enjoining him, under the King's authority, by no means to proceed up the river at present. I would further recommend that a letter should be addressed to the consignees of the vessel (covering a copy of the communication to the commander) to the effect that such a step, at this period, appeared to the Commission to be extremely imprudent, and it had therefore been determined to require that the intention should be abandoned. The port of Canton is now full of shipping waiting for cargoes to proceed to England; and I confess the moment appears to me so peculiarly unfavourable for any experiment of this description, that I found the greatest difficulty in crediting the report upon the subject; it is repeated, however, in so many quarters, that I feel compelled to believe it is well founded. If it be true that any attempt has been made to secure the consent of the Foo Yuen, and that his refusal has been signified, the risks of very serious difficulties are vastly enhanced. We have been specially warned, and the Chinese officers well know the advantage that particular circumstance will afford them for the vindication of any measures which our scornful disregard of their authority may lead them to pursue. If this steam-vessel goes up the river at this moment, I feel a persuasion that some grave public inconvenience will ensue. That the persons on duty at the forts in the Bogue will be fully justified in stopping her (by force, if needful) is plain; and that any opposition upon the part of the vessel would be both utterly lawless and futile is quite as clear. But it may happen that they will suffer her to pass the forts with just so much of evidence to prove that it is a forced passage (by firing a few shot wide of her) as will serve to justify proceedings of another complexion; in this case, it is my strong opinion, that the Chinese will resort to some general measure in assertion of their powers and independence as a Government, involving the interruption of this trade, till some required concession shall be made. No Government can afford, if I may so express it, to be reduced to utter contempt in the sight of its own people by a handful of heedless foreigners; the sacrifice, in point of public estimation, is far too considerable.

I desire to record my own conviction that some most disagreeable public consequences will follow if the steam-boat proceeds up the river at this moment, in contemptuous disregard of a recent refusal to let her pass. At a suitable period, and with due caution, I am sure such a point might be easily and safely accomplished. It is my deliberate opinion that the full weight of responsibility for any disaster or mischief which arises out of this attempt at the present moment will devolve upon this Commission, unless we can clearly show that we enjoined all British persons having any authority over the vessel, or employed on board of her, to abstain from taking any part in a proceeding calculated imminently to risk interests of vast public and private importance, and in direct disobedience to His Majesty's Instructions, issued agreeably to Act of Parliament, setting forth that it is the duty of all his subjects to respect the laws and usages of this empire.

CHARLES ELLIOT,
Second Superintendent.

No. 66.

Viscount Palmerston to Captain Elliot.

(Extract.) *Foreign Office, July* 22, 1836.

I HAVE to observe to you that it does not appear to His Majesty's Government, that it would be expedient that you should attempt to re-open communications with the Viceroy through the Hong merchants; but, on the contrary, it is desirable that you should decline every proposition to revive official communications through that channel, whatever may be the quarter from whence such propositions may come.

It might be very suitable for the servants of the East India Company, themselves an Association of merchants, to communicate with the authorities of China through the merchants of the Hong; but the Superintendents are officers of the King, and as such can properly communicate with none but officers of the Chinese Government. This is a point upon which you should insist; and I have therefore to instruct you, if any attempt should be made by the Hong merchants to enter into communication with you upon matters of public business, to express your regret that you are not at liberty to receive any such communications, except from the Viceroy direct, or through some responsible officer of the Chinese Government.

I have to add, that His Majesty's Government do not deem it expedient that you should give to your written communications with the Chinese Government, the name of "*Petitions.*"

No. 67.

The Hon. W. Fox Strangways to Captain Elliot.

Sir, *Foreign Office, September* 14, 1836.

I AM directed by Viscount Palmerston to transmit to you, for the purpose of being forwarded to the Portuguese Governor of Macao, the accompanying letter, under flying seal, addressed to his Excellency by his Government, containing instructions as to the conduct he should pursue in all matters in which the Superintendents of British Trade in China, may have occasion to address themselves to his Excellency, on subjects relating to the discharge of their official duties: these instructions are sent to his Excellency in consequence of the representations of His Majesty's Government to that of Portugal, of the circumstances stated in Sir G. Robinson's despatch of the 23rd of November, 1835.

I am, &c.,
(Signed) W. FOX STRANGWAYS.

No. 68.

Sir G. B. Robinson to Viscount Palmerston.—(*Received September* 29, 1836.)

His Majesty's Cutter Louisa,
(Extract.) *Lintin, March* 1, 1836.

I HAVE the honour to inclose copy of a letter from Mr. Innes to my individual address, the reply thereto, and of an open letter I, at the same time, inclosed to our Interpreters.

Inclosure 1 in No. 68.

Mr. Innes to Sir G. B. Robinson.

Sir George, *Macao, February* 22, 1836.

I VERY respectfully submit to your recollection the following circumstances.

I received an injury and lost property out of a ship called the *Orwell,* Captain Dalrymple.

I did my duty to my constituents, in applying for its recovery to the late deceased Governor of Canton, and failed in my object. I did put in motion a vessel for reprisal against Chinese subjects; moved by you, I abstained therefrom, on your pledge to represent the matter, both here (at a proper time) and home, for redress.

If you do not consider it to interfere with that pledge, I mean to draw the attention of the new Governor of Canton to this subject; and if I have your permission to do so, I hope you will allow Mr. Morrison or Mr. Gutzlaff to translate into Chinese my Petition to the new Governor: and for this I beg written instructions, as asking favours of subordinate officers is inconvenient.

I wish to put a curious fact before you; Monteith and Co. who are the chief losers, are skilful chymists and inventors of colours: and they have recently arrived at a new colour: the goods robbed from me were of this new colour. On a day in last January, I was called to be present at the opening of some goods of mine, to have the duties fixed by the Hoppo; and this took place in the Hong, once the Honourable East India Company's, now Messrs. Daniell's, when I saw in possession of an attendant officer a cotton-handkerchief; a whole handkerchief of which, besides the stolen goods, only I was possessed in all China of a similar colour; and mine were (being musters for selling by) half handkerchiefs; the officer had his master's books and papers wrapped up in it. I instantly challenged it as stolen goods in presence of the Coolies, Linguists, and all attendants: this is direct evidence of the possession of the Hoppo or his servants.

It is my duty to mention to you that I have moved Messrs. Monteith and Messrs. Deykins, at Glasgow and Birmingham, to induce their four members in the Commons, to strengthen and support your judicious remonstrance at the Foreign Office.

I wait your answer with anxiety.

I have, &c.,
(Signed) JAMES INNES.

Inclosure 2 in No. 68.

Sir G. B. Robinson to Mr. Innes.

His Majesty's Cutter Louisa,
Sir, *Lintin, February* 24, 1836.

I HAVE to acknowledge the receipt of your letter under date 22nd February, and lose no time in replying to it.

I consider it will not be any interference with the pledge you have given to abstain from violent and dangerous measures for the recovery of your property, if you address a moderate and becoming communication on the subject to the new Governor of Canton; on the contrary, you have my full sanction and approval of the measure, which I think judicious and prudent. To this end, the services of one or both our interpreters are at your disposal, so long as the documents you require them to translate or draw up for you, contain neither threats or menaces which most assuredly you could never put in execution; nor expressions and language calculated to excite feelings and impressions hostile or prejudicial to the general welfare and interests of the King's subjects, and, in my opinion, tending to the certain counteraction of your own object. To prevent any delay, I furnish you with an open letter to those gentlemen, and as you have placed the whole matter before me, and I have submitted every document connected therewith, for the consideration of the Right Honourable the Foreign Secretary, I conceive you will not hesitate to furnish me with the faithful translations, both of your Petition to the new Governor and his reply thereto; indeed it would be satisfactory if time would allow of my perusal of your address previous to presentation.

I conceive a judicious introduction of the fact you mention might have some weight, and I would suggest that you also state distinctly, the business has been submitted to the Superintendents of British Trade in China, and by them transmitted to the high officer of His Majesty's Government, with whom they have the honour to correspond.

I beg to point out, that Mr. Morrison is now privately residing in Canton, solely for the purpose of aiding the foreign community in matters of this sort, and should you wish to communicate personally with me on this or other subjects, it will be in accordance at once with my duty and inclination to afford you all the advice and assistance in my power.

I have, &c.,
(Signed) G. B. ROBINSON.

Inclosure 3 in No. 68.

Sir G. B. Robinson to Mr. Morrison and Mr. Gutzlaff.

His Majesty's Cutter Louisa,
Gentlemen, *Lintin, February* 24, 1836.

MR. INNES having requested my sanction for your assisting him by the exercise of your talents and acquirements in the Chinese language, I have to request you will do so to the best of your power, under this positive restriction, however, that on no account, nor on any occasion, you translate or draw up for presentation to the local authorities, documents containing language or expressions of a threatening or menacing nature, or in any way calculated to prejudice and endanger the safety and interests of His Majesty's subjects in this country. With a perfect reliance on your judgment and discretion, I do not consider it requisite to add further admonition, and sincerely hope the results of your exertions will be successful.

I am, &c.,
(Signed) G. B. ROBINSON.

No. 69.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 8, 1836.

THE despatch of Sir George Robinson of the 20th of November, 1835, relative to the case of Mr. Innes, together with the various Minutes and other papers connected with it, which have been transmitted home by the Superintendents, have received the most careful consideration of His Majesty's Government and their legal advisers.

It appears from these papers, that Mr. Innes, a British merchant, resident at Canton, had employed a pilot named Acha, to transfer some goods from the ship *Orwell*, while passing up from Lintin to Canton, to another vessel at Lintin bound for Manila; that the pilot Acha, instead of proceeding with the goods to the other vessel, was conveying them up the Canton river, when his boat and the goods were seized by the Chinese Custom-house officers, near the Bocca Tigris, for a breach of the Chinese revenue laws; it being considered that he was attempting to smuggle the merchandize within the entrance of the Port of Canton; that Mr. Innes, conceiving himself to be wronged by the acts of the pilot and of the Custom-house officers, had petitioned the Governor of Canton for redress; and that, upon experiencing delay in obtaining the restitution of his goods, he had notified to the Governor his determination to procure redress for himself, by acts of reprisal against the Chinese Trade; but that he had consented to abstain from his meditated hostilities, upon receiving from the Superintendents a pledge, that his case should be submitted to the consideration of His Majesty's Government; and that the recovery of his property should be made the subject of a demand on the Chinese Authorities, on the first occasion of the Superintendents coming in formal contact with those Authorities.

You have already been informed, by my despatch of June 6th, addressed to Sir George Robinson, that the papers connected with this transaction were under the consideration of the law officers of the Crown. The report which I have now received from the law officers, fully confirms the opinion which I expressed in that despatch, that the acts threatened by Mr. Innes, would, if carried into effect, amount to piracy. I have therefore to instruct you to communicate to Mr. Innes the opinion of His Majesty's legal advisers, with regard to the intention which Mr. Innes had announced; and to express the conviction of His Majesty's Government, that he will abandon all intention of having recourse to proceedings which high legal authorities have declared would amount to piracy. You will further inform Mr. Innes, that if the contrary should unfortunately happen, and if he should persist in carrying his former intentions into execution, he will be abandoned by the British Government to the fate which such a course will probably bring upon him; and further, that the commander of any of His Majesty's ships which may fall in with him, will be bound to act towards him as the Naval Instructions require commanders of His Majesty's ships of war to act towards pirates whom they may meet.

With respect to your representations to the Chinese Authorities, with a view to obtain the restitution of Mr. Innes's property, you will conform yourself to the instructions contained in the latter part of my despatch to Sir George Robinson.

I am, &c.,
(Signed) PALMERSTON.

No. 70.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 8, 1836.

HIS Majesty's Government have not failed to take into their attentive consideration, Sir George Robinson's despatch of the 1st of July 1835, relative to the claim preferred by Messrs. Turner and Co., of Canton, against Mr. Arthur Saunders Keating, of the same place, for a balance of 300 dollars, alleged to be due by him to the owners of a vessel called the *Planter*, on account of the freight of a cargo of rice, consigned to Mr. Keating by a mercantile house at Batavia; and which balance Mr. Keating refused to pay, on the plea, that his rice, after having been landed and passed for sale to a Hong merchant at Canton, named Mowqua, had by him been made subject to the payment of 300 dollars, which he claimed as insurer of the vessel, on account of certain port charges and fees: the charter-party having stipulated that the port charges should be borne by the ship. This case, with the Minutes of Proceedings relating to it, has been submitted to the consideration of the law officers of the Crown; and it appears to His Majesty's Government, from the report of those officers, that the question between Messrs. Turner and Co. and Mr. Keating, is one merely of private right, and to the decision of which the ordinary tribunals of this country are fully competent. In fact, the only question to be decided is, whether the ship *Planter* had earned her freight when the rice was delivered into the go-down of Mowqua, the Hong merchant who secured the ship.

The facts of the case are not clearly stated in the papers sent home by Sir George Robinson; but from the Minutes of Proceedings transmitted in his despatch above-mentioned, it would appear, that the Hong merchant Mowqua secured the ship at 900 dollars, and that this sum, which was due as port charges, was the only sum lawfully demandable by the Chinese authorities; that this sum was duly paid by the consignees of the ship to Mowqua, who thereupon gave his chop or receipt for the same; and that Mr. Keating might have had the rice, or have disposed of it as he thought fit; but that by his desire, and for his convenience, it was deposited by Mowqua, in his (Mowqua's) go-down at Canton; and that Mowqua illegally refused to let Mr. Keating remove the rice without paying a further sum of 300 dollars. Such at least appears to be the outline of the transaction as reported by the Superintendents; and supposing the facts to be so, it is clear that the rice was deposited by Mowqua as Mr. Keating's agent, and that the owners of the ship had fully performed their contract, and consequently were entitled to receive the whole of the sum due for freight.

What I understand Mr. Keating to represent in his various letters entered on your Minutes, is, that it is a fallacy to assert that the rice ever was in his possession, or under his controul; that Mowqua, as the securing Hong merchant, had the ship and cargo in his power; and that whatever contract Mowqua might have made with Messrs. Turner and Co., as agents of the owners, he (Mowqua) never would have parted with the cargo, without receiving the 300 dollars in dispute:—that Mowqua held the rice as the security merchant, and would not have permitted it to go out of the ship to any other place than his own go-down, where he would retain a lien upon it for what he claimed.

It is impossible for his Majesty's Government, upon the documents before them, and with their imperfect information as to the rights and duties of the securing merchant, to pronounce any positive decision as to the real merits of the case. But the fact stated by Messrs. Turner and Co., in their letter to Messrs. Forbes, Dent, and Jardine, that the cargo of another ship, the *Madras*, arriving at the same time, was delivered to the go-down of a different merchant from the one who secured the ship, is strongly corroborative of the view of the

case taken by you and your colleagues. Indeed, the claim of Messrs. Turner and Co. upon Mr. Keating, as stated in their first letter, was for two sums of 300 dollars each, one on account of the ship *Planter*, the other on account of the ship *Madras*. The latter claim appears, in the course of the correspondence, to have been dropped, the reason not being distinctly stated; and on these circumstances, so important in their bearing upon the merits of the other claim which formed the immediate subject of the reference home, no remark is made in the Chief Superintendent's despatch.

With regard to the step taken by the Superintendents, in consequence of Mr. Keating's continued refusal to pay the sums demanded of him, on account of Messrs. Turner and Co., and, in another case, by Mr. Smith, amounting together to £91 17*s.* 6*d.* sterling, I have to state to you, that, in advancing on the public account, the amount of these demands upon Mr. Keating, with the view of making him a debtor to the Crown, the Superintendents adopted a course which they had no power whatever to take. Mr. Keating certainly is not a debtor to the Crown in respect of this transaction. The case was a private one—of an attempt at extortion on the part of the Hong merchant Mowqua, who, in his character of agent, demanded from his principal a sum to which he was not entitled; and refused to give up to that principal the goods in his custody, until his unjust demand was satisfied.

As, however, the payment was made by the Superintendents, in the exercise of their discretion, with the view of preventing further discussions, which, under the peculiar circumstances of their position, they considered might have proved injurious to the British commercial interests in China, it is not my intention to make them personally responsible for the advance, although their decision was certainly a mistaken one. But it is my duty to caution you, in the most express manner, against pursuing a similar course on any future occasion. It is probable that Mr. Keating, when he finds that His Majesty's Government incline to an opinion on the subject adverse to his own, may no longer object to repay the sum which was advanced for him by the Superintendents; but, I repeat, that His Majesty's Government cannot regard Mr. Keating as a Crown debtor, in respect of the payment made by you and your colleagues on his account.

His Majesty's Government do not consider, that this is a transaction which would give any just ground of demand against the Chinese Government; but, as it appears that a demand was insisted upon by the securing merchant, which the Chinese regulations do not warrant, and, consequently, that the merchant was guilty of an act of extortion, admitted on all sides to be such, (the dispute being only on whom the charge should fall,) you will avail yourself of any suitable opportunity that may offer to call the attention of the Chinese authorities at Canton to the subject; and to endeavour to prevail upon them to put a stop to such acts of extortion, by causing their own regulations to be strictly carried into effect.

I am, &c.
(signed) PALMERSTON.

No. 71.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 8, 1836.

WITH reference to my despatches of this date, containing the opinion of His Majesty's Government upon the cases of Mr. Innes and Mr. Keating, I think it right to state to you, that His Majesty's Government are fully aware of the inconvenience arising both from the undefined state of the Jurisdiction of the Superintendents in China, and from their want of power to enforce decisions to which they may come, on matters submitted to them by members of the commercial body in China.

The

The general question as to the nature, extent, and powers of the future establishment in China, is now under the consideration of His Majesty's Government; and I am in hopes that, at no distant period, some effectual remedy may be provided for the inconvenience to which I have more particularly adverted.

In the mean time, I have to recommend to you to confine your interference, when called for, as much as possible to friendly suggestion and advice to the parties concerned.

The assumption of powers which you have no means of enforcing, and the issuing of injunctions which are set at nought with impunity, can only tend to impair the authority and lower the dignity of His Majesty's Commission in the eyes of those by whom it is of importance that it should be looked up to with respect.

I am, &c.,
(Signed) PALMERSTON.

No. 72.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 8, 1836.

I HAVE observed that in your Minute of the 15th of October, 1835, relative to the case of Mr. Innes, you express an opinion, that the power given by the Act 26 Geo. III. c. 57, sec. 35, to the Supracargoes of the East India Company, to arrest and send to England persons resident at Canton, may now be lawfully exercised by the Superintendents of British Trade in China, by virtue of the Order in Council of the 9th December 1833, which transfers to the Superintendents all the powers and authorities which were by law vested in the Supracargoes, at the date of the termination of the exclusive rights of the East India Company.

As a misconception on this point might give rise to much embarrsasment, both to His Majesty's Government and to the Superintendents personally, I have to state to you for your guidance, that the clause of the Act of 26 George III., upon which you rest your opinion, was repealed by the 146th clause of the Act 33 George III. c. 52; and further, that the only power exercised by the Supracargoes, was that of removing unlicensed persons. But as no license from His Majesty is now necessary to enable His Majesty's subjects to trade with or reside in China, such power of expulsion has altogether ceased to exist with respect to China.

I am, &c.,
(Signed) PALMERSTON.

No. 73.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 8, 1836.

I INSTRUCTED Sir George Robinson, in my despatch of the 28th of May last, to communicate to the various individuals who held provisional appointments under His Majesty's Commission, that those appointments were still to be considered as only provisional and temporary, and subject to such arrangements with regard to entire abolition, or to reduction of salary, as His Majesty's Government might, upon further consideration, deem proper.

His Majesty's Government subsequently came to the resolution of abolishing the office and salary of Chief Superintendent, as notified in my despatch to Sir George Robinson, of the 7th of June last; and they have since then resolved upon carrying into effect some further changes and reductions, which I now proceed to state to you.

1st. It appears to His Majesty's Government desirable, in order to insure unity of decision and singleness of responsibility, as well as to avoid those differences of opinion between co-ordinate Authorities, which are necessarily injurious to the public service and to the efficiency of the Commission, that the office of the Third Superintendent should be abolished; and that, in the place of that officer, a Deputy Superintendent should be appointed, to act as assistant to the Chief Superintendent, but under his orders and controul; and also to act provisionally for the Chief Superintendent, during his occasional absence from his post. His Majesty's Government are glad to avail themselves of the services of Mr. Johnston, at present Third Superintendent, for this new office; and you will notify the decision of His Majesty's Government to Mr. Johnston, and will acquaint him that the salary, which for the present is assigned to the office of Deputy Superintendent, is 1,500 *l.* per annum. Mr. Johnston's salary of 2,000 *l.* per annum, as Third Superintendent, will cease on the day on which you receive this despatch; after which time he will receive the salary of 1,500 *l.* attached to his new office.

2nd. The salary of the Surgeon to the establishment is to be reduced from 1,500 *l.* to 1,000 *l.* per annum; that of the Secretary and Treasurer from 1,500 *l.* to 800 *l.* per annum; and that of the Chinese Secretary and Interpreter from 1,300 *l.* to 1,000 *l.* per annum; the reduction to take effect in each case, from the day on which you receive this despatch.

3rd. The office of Assistant Surgeon is to be altogether abolished. You will notify this determination to Mr. Anderson, who now holds this appointment; and you will pay him his salary for three months after he shall have received such notification.

It will, moreover, be distinctly understood that all the offices on the establishment are held, subject to any final arrangements which His Majesty's Government may hereafter deem it expedient to adopt.

4th. Contingent Expenses.—The sum of 5,000 *l.* provided by His Majesty's warrant of the 8th of January 1834, for clerks and contingencies, included the contemplated expense of boats and other incidental charges connected with the collection of the duties originally proposed to be levied on British shipping in Canton. The subsequent abrogation of these duties has necessarily occasioned a great reduction in the contingent expenditure of the establishment; and His Majesty's Government are therefore of opinion, that a sum of 2,500 *l.* per annum will be amply sufficient to cover every needful expense under this head; and you will be careful that the above amount shall, under no circumstances, in future be exceeded.

But His Majesty's Government, in fixing the sum of 2,500 *l.* per annum, as that which they intend to propose to Parliament as the vote for contingencies for the China Establishment during the ensuing year, confidently hope and expect that such sum will ultimately be found more than sufficient for the actual and necessary expenditure on that account. They

are

are unwilling to run the risk of making an inadequate provision for expenses to be incurred on so distant a station, and with regard to the nature and necessity of which they have not yet had knowledge and experience enough to enable them to form a final and correct judgment, but you will consider it your duty to confine these contingent and incidental expences within the narrowest limits consistent with the interests of His Majesty's service.

I am, &c.,
(Signed) PALMERSTON.

No. 74.

Sir G. B. Robinson to Viscount Palmerston.—(Received November 17, 1836,)

His Majesty's Cutter Louisa,
My Lord, *Lintin, April* 18, 1836.

IT affords me great pleasure to intimate to your Lordship, that after one of the most active, and, I believe, successful seasons ever remembered in China, there exists at the present period of relaxation the most perfect tranquillity and quiet.

With the exception of two ships now loading for England, there is little to notice in the river, and all my exertions are directed to preserve order and correct some abuses in the numerous vessels at this anchorage or in Macao Roads, for which purpose I resort, as most suitable, to either station, and trust nothing will intervene to interrupt the present tranquil aspect of affairs. The Chinese are not, in my opinion, disposed to interfere with the exercise of our functions and powers outside the river, and, so long as we do not attempt to go to Canton, will take no notice whatever of our proceedings. If I could perceive a greater degree of harmony and unanimity amongst the British community, I should confidently anticipate the gratification of addressing your Lordship on the probable advantages to be derived from a change in the position of the outside rendezvous for shipping, from the exposed and impracticable anchorage at Lintin, during the southerly monsoon, to the safe and commodious basin or harbour of Hong Kong, in preference to the late resort of outside ships, the Cumsingmoon, where they are much more likely to become involved in affrays with the natives, from various causes, which it would now be tedious and needless to dwell upon. But I feel myself so unhappily situated, by the divided and irritable state of the British society, that I apprehend all my efforts might be vain, and perhaps produce evil instead of beneficial results.

There remains, therefore, no alternative but a continuance in my present quiescent line of policy, until I am in possession of definite instructions from your Lordship as to our future measures. I have only to observe, that I persevere in my course, simply because all has proceeded well and successfully during its operation; and I consider, that, so long as that is the case, I am best fulfilling the duties of my office.

I have, &c.,
(Signed) GEORGE BEST ROBINSON.

No. 75.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, December* 6, 1836.

I HAVE had under consideration Sir George Robinson's despatch of May 17, reporting the particulars of a gross outrage committed on two masters of British vessels by a Portuguese officer at Macao, and for which the Superintendents had been unable to obtain any redress from the Governor of that settlement, and further stating that the Governor of Macao persisted in declining to recognise the Superintendents in their public character, and had not even returned an answer to their letters.

In my despatch of September 14th, I transmitted to you, for the purpose of being delivered to the Governor of Macao, an instruction which the Portuguese Government had addressed to his Excellency in consequence of the representation made to them of a former transaction of a similar nature; and I trust that this instruction will have had the effect of recalling the Governor to a proper sense of the respect which is due to officers acting under His Majesty's Commission; and will have disposed him to take effectual measures for preventing the recurrence of acts of violence towards British subjects.

His Majesty's Government have however deemed it expedient, as well in consequence of these occurrences as with a view to the protection of British Commerce in general, to address instructions to the Admiral commanding His Majesty's ships in the East Indies, directing him to station a ship of war constantly in the China Seas, and to call the special attention of her commander to the necessity of watching over the interests of British subjects at Macao.

I am, &c.,
(Signed) PALMERSTON.

(*Instructions referred to in the foregoing despatch to Captain Elliot.*)

John Backhouse, Esq. to Charles Wood, Esq.

Sir, *Foreign Office, March* 23, 1836.

I AM directed by Viscount Palmerston to transmit to you the accompanying extracts from the file of proceedings of the Superintendents of the Trade of British subjects in China,—the first relating to the plunder by some Chinese pirates of the British vessel *Troughton*,—the second, to the difficulty which the Superintendents experience, in the present state of relations with China, in controuling the conduct of British seamen resorting to the Canton River. In laying these Papers before the Lords Commissioners of the Admiralty, I am to desire that you will state to their Lordships, that it is Viscount Palmerston's opinion, with reference both to the protection of British ships and property from plunder, and to the necessity of sometimes enforcing subordination among the merchant seamen, that a ship of war should be constantly employed on the Chinese station; and that the commander of such ship should be instructed to communicate with the British authorities in China, and to act in concert with them for the maintenance of British interests in that quarter of the world.

I am, &c.,
(Signed) J. BACKHOUSE.

No. 76.

Sir G. B. Robinson to Viscount Palmerston.—(*Received December* 26, 1836.)

My Lord, *Macao, May* 10, 1836.

WITH reference to my despatch of February 5, paragraph 6, I have the honour to inclose the cover or envelope of a document sent by the Hong merchants to all the principal firms, agents, or residents, foreign and British, in China. It was forwarded by the common Chinese post, or rather passage-boat, and differs in no way from an ordinary Chinese letter.

I requested Mr. Gutzlaff to write the exact meaning of the characters upon this cover, which is, in all respects, similar to those I have been in the habit of receiving for many years past, from Chinese of various classes, on private business, with the omission, perhaps, of some complimentary or lucky phrase or sentence, which they often subjoin.

The word high dispatch is, I think, a misapprehension of the term, with speed or haste; but, if meant to infer, that the contents are of importance, is generally used in the direction of all letters, even those of the lower classes.

In Mr. Gutzlaff's note, he remarks, it is addressed individually to the managers of barbarian nations. I believe, however, copies have been sent to most of the foreign merchants in Canton, and even to masters of ships.

The Hong merchants, in their note, simply request their virtuous elder brother to inform his countrymen of the contents; and the whole document, in my opinion, can only be considered as a circular to merchants and captains.

The Edict itself is merely one of the usual screens, under cover of which the Mandarins themselves engage in the illicit trade, or, by the influence of large bribes, connive at its existence and increase.

My object in addressing your Lordship on this subject, is simply to prove, that I am not, by any means, in communication with the Hong merchants, nor have I in any way deviated from that line of policy so well suited to maintain our present position, which is all I aspire to do, until I have the honour to receive positive and definite instructions.

I have, &c.,
(Signed) GEORGE BEST ROBINSON.

Inclosure 1 in No. 76.

Mr. Gutzlaff to Sir G. B. Robinson.

Sir, *Macao, April* 26, 1836.

I HAVE the pleasure of transmitting to you the translation. It seems to be a circular letter addressed individually to all the managers of the barbarian nations. The name of the English does not even once occur.

I remain, &c.,
(Signed) CHARLES GUTZLAFF.

Inclosure 2 in No. 76.

The Hong Merchants to Sir G. B. Robinson.

April 15, 1836.

THE Hong merchants repeat, in the inclosed note, the same orders, and request their virtuous elder brother to make them known to all his countrymen at Canton.

Inclosure 3 in No. 76.

Edict against Foreign Ships resorting to the North-East Coast of China.

LEW, the Che-heen of Nan-hae, hereby informs the Hong merchants, that he received on the 4th instant a communication from the Kwang-Chow-Foo, stating that he had received a paper, dated 26th of March, from the Provincial Judge, who had received an official letter from the Provincial Treasurer February 7th, transmitted to him by the Deputy Governor of Kwangtung and Kwangse provinces, containing the following statement of the Lieutenant Governor of Chekeang province, dated January 31st.

" There anchored a barbarian three-masted ship near the Tung-se-choo [islands belonging to the Choo-san group,] with Mifata's barbarian craft, which also proceeded to Cha-poo and Leih-keang [harbours of Che-keang province]. They have never been forced to get under weigh, and are driven away.

" I, the Lieutenant Governor, in conjunction with the Admiral, prepared on the 23rd of the ninth month of the preceding year a respectful report to the Emperor. Moreover, I forwarded a circular letter [to the Mandarins along coast], to institute inquiries, escort, and drive them away [the ships]. I thought it, moreover, my duty to request in this official notification, that the Hong merchants might be strictly enjoined, to convey to the barbarian ships on their arrival at Canton the most peremptory commands, in order to restrain them from revisiting other provinces. And I hereby request an answer.

" A copy of this document reaching me, the Acting Governor [of Kwang-tung and Kwangse], I examined the records, and found that I had already previous to this received an official document from the Governor General of Fokeen and Che-keang, stating that inquiries had been made, and the ships had been escorted and driven away, as is upon record. I, therefore, stated in my reply to the Lieutenant Governor of Che-keang, that the notification had been duly entered upon the records, and that there was no need of an additional document upon the subject.

" At the same time I requested the Hoppo, that he should immediately order the Hong merchants to issue these commands, to the manager of the said kingdom's barbarian merchants, that they might obey them. The Hong merchants ought also to restrain those barbarian ships which have been sent away from Che-keang, as soon as they arrived at Canton, and most severely prohibited and restrict them from ever proceeding in future to other provinces, and there sauntering about."

To enforce obedience to the orders, the Provincial Judge adds his commands. Do not transgress! They being received, the Hong merchants were immediately enjoined to promulgate these commands, whilst the other official injunctions are hereby forwarded, that they might act in strict accordance to them.

" I, the

"I, the Che-heen of Nan-hae, whilst receiving these official documents followed the directions of the Kwang-Chow-Foo, and, accordingly, strictly enjoin the Hong merchants, that they may promulgate these commands to the manager of the said kingdom's barbarian merchants, that they may obey them. As soon as the barbarian ships which have been sent away from Che-keang, arrive at Canton, they ought to be severely prohibited and restricted from ever proceeding to other provinces, and there sauntering about. Do not transgress!"

I address jointly my commands to the said Hong merchants, that they may immediately promulgate these orders to the manager of the said kingdom's barbarian merchants for their obedience to them. As soon as the barbarian ships which have been sent away from Che-keang, arrive at Canton, they ought to be severely prohibited and restricted from ever proceeding to other provinces, and there sauntering about. Do not transgress! Use the utmost dispatch. These are the orders.

No. 77.

Sir G. B. Robinson to Viscount Palmerston.—(*Received March* 1, 1837.)

(Extract.) *Macao, October* 13, 1837.

NOTHING but decided measures will, at the present period, induce the Local Chinese Government to admit or tolerate the resort to, or residence at Canton of an officer of His Majesty's Government on a becoming footing (and unless he be so placed, his presence must prove a source of evil instead of good), as they have the sagacity to foresee the endless embarrassment certain to emanate therefrom, but they will tacitly sanction, or perhaps avail themselves of the full exercise of his functions and authority without the river, and I am confident, appeal to him in any extreme case of difficulty or aggression on the part of his countrymen, thereby at once yielding a point of contention which it seems to me idle to urge.

No. 78.

Sir G. B. Robinson to Viscount Palmerston.—(*Received April* 18, 1837.)

His Majesty's Cutter Louisa,

(Extract.) *Lintin, November* 28, 1836.

IN the absence of any despatches conveying your Lordship's sentiments and instructions relative to the quiescent course of policy in which I have deemed it my duty to persevere, since I had the honour of succeeding to my present appointment, and the system I last year adopted of residing on board His Majesty's cutter at Lintin, or outside the Bocca Tigris, for the purpose of attesting the manifests of British ships, granting port-clearances, and the general advantage accruing to the commercial community in China, from the free and uncontrolled exercise of those functions of a consular nature, as requisite and essential for the maintenance of the public peace, or rather the discipline of the shipping, as for the interests and welfare of His Majesty's subjects in this country; I consider no other alternative is open to me, but a recurrence to that arrangement which so fully answered all the anticipations I had formed, and to which no rational objection seems to have presented itself.

During the present season, therefore (unless, indeed, instructions of an opposite nature should arrive), I propose to take up my station permanently at that anchorage, as being best suited to the nature of the duties I have to discharge, and least likely to excite any opposition or jealousy on the part of the Chinese, who apparently sanction, or perhaps tacitly acquiesce in the residence of a civil officer of the British Government, at a rendezvous they always point out as the most appropriate for His Majesty's ships of war in China.

No. 79.

Sir G. B. Robinson to Viscount Palmerston.—(*Received May* 3, 1837.)

My Lord, *Macao, December* 14, 1836.

I HAVE the honour to acknowledge the receipt of despatches from your Lordship, per ship *Neptune*, announcing the abolition of the office of Chief Superintendent of the trade of British subjects in China, and directing me to make over the Archives and other Documents of this Establishment, to Captain Elliot, R.N.

The commander of the ship *Eleanor*, being actually in attendance at my office, at the moment of their arrival, for the purpose of signing his manifests and receiving a port-clearance, I have no time to add more than that these Instructions will be carried into effect this day, and that I shall further have the honour of addressing your Lordship, by ships shortly about to sail for England.

I have, &c.,

(Signed) GEORGE BEST ROBINSON.

No. 80.

Captain Elliot, Second Superintendent, to Viscount Palmerston.—(*Received June* 6, 1836.)

(Extract.) *Macao, January* 25, 1836.

THE peaceful and conciliatory policy by which the King's Government appear to me to desire to maintain and promote the commercial intercourse with this empire, is not very generally approved amongst the fifty or sixty resident merchants at Canton; and a determination to give it effect, so far as depends upon me, is the least popular task I could have proposed to myself.

No. 81.

Captain Elliot to the Foreign Office.—(*Received July* 23, 1836.)

(Extract.) *Macao, March* 14, 1836.

IT had long seemed to me, that the arrival of the new Viceroy at Canton would furnish us an occasion for the re-opening of our communications with the provincial authorities, by the only channel which, I am well persuaded, will ever open out to us at once, without a very hazardous and a very needless struggle.

Being

Being at Canton, and conforming heartily to the spirit of our cautious and conciliatory instructions, I see every day more reason to believe, that without much address upon our parts, and in short, by the mere force of circumstances, we should soon come to make ourselves so useful to the native authorities, as to lead them (gradually and silently indeed, but surely) not only to admit, but to court direct communication with us. In China, to keep things quiet is the best evidence as well as the whole end of successful administration: as soon as the Viceroy found out that we were sincere allies with them in that object, he would sedulously cultivate our friendliness.

No. 82.

Captain Elliot to the Foreign Office.—(*Received February* 15, 1837.)

(Extract.) *Macao, July* 27, 1836.

I LEARN from Sir George Robinson, that he has officially transmitted the very remarkable Memorial to the Emperor upon the subject of the legalization of the Opium, or I would have forwarded you a copy by this occasion.* You will observe, that the Memorial already bears the Imperial command to examine and report, which, in their official system, may be said to be a signification of assent. The formal and final orders will probably be here in the course of a month or six weeks. This is a great change indeed, but it would be a complete misconception of its character to confound a change of means with any change in the principle of their policy. This as respects the foreigner, may be pretty accurately described to be, first, the minimum amount of foreign social intercourse, which shall be consistent with the active pursuit of trade, according to their lights of the most advantageous mode of carrying on trade; and, decidedly, the most anxious avoidance of any such serious difficulties with the foreigners on the spot as might furnish foreign powers with a pretext for interference.

This stroke is aimed at the overthrow of the Lintin and outside trade, and the limitation of our commercial sphere to Canton and the Hong merchants. The extent to which it is successful, must depend mainly upon the adherence to the moderate duties and charges proposed in the Memorial. These would be about seven dollars per chest, and, under present circumstances, the native smuggler cannot land a chest of Opium at the nearest depôt to Linton under, at the very least, forty dollars. Thus, then, you will perceive, that, if this charge is established and faithfully adhered to, no premium can present itself to induce the native to smuggle: and, indeed, it should be added, that as soon as the Opium may be lawfully introduced at Whampoa, and at Whampoa alone, there is no more reason to believe that the smuggler will be able to introduce it at other points than Canton, than he has hitherto been able to introduce any other articles which may come into Canton, but nowhere else. Smuggling there may be at Canton as there is now of all sorts of merchandize to an immense extent, but there will be smuggling no where else than at Canton; that is, always supposing that the charges are kept at the moderate rate now proposed, the probabilities of which I cannot judge of. It has been a confusion of terms to call the opium trade a smuggling trade; it was a formally prohibited trade, but there

* It does not appear that Sir George Robinson ever transmitted these documents to the Foreign Office: the only allusion he makes to the subject of them is that contained in his despatch of August 27, 1836.

there was no part of the trade of this country which had the more active support of the local authorities. It commenced and has subsisted by means of the hearty connivance of the Mandarins, and it could have done neither the one nor the other without their constant countenance. In my mind, it is much less the Lintin or the coast trade that have produced this striking measure than the tea and the tract Missions to the coasts, of last year. These events attracted the very anxious notice of the Court itself, and this scheme is the result. The Lintin trade, as long as it was quietly pursued, always had the countenance of the high Mandarins of this province, and though they were naturally unfriendly to its extension to the coast of the neighbouring provinces, still they were disposed to stifle complaints to the Court upon that subject, in order to stave off searching inquiry into their own affairs here. Tracing backwards, no doubt the opium will be found to be the great primary cause of this change. But the immediate cause here has, I firmly believe, been the distribution of tracts. The opium ships might have continued to visit the coasts with little more than former notice, but the books alarmed the Court seriously.

This State Paper is a public confession that the Chinese cannot do without our opium, and that being the case, the regulation of the manner of its introduction in such wise as will render it least mischievous to their policy of foreign exclusion, is no doubt a skilful measure, but I greatly question its efficacy. It has been delayed too long. The officers and the people have been accustomed to the feeling that the Government is at once false and feeble. Sooner or later the feeling of independence, which the peculiar mode of conducting this branch of the trade has created upon the part of our countrymen in China, will lead to grave difficulties. A long course of impunity will beget hardihood, and at last some gross insult will be perpetrated, that the Chinese authorities will be constrained to resent; they will be terrified and irritated, and will probably commit some act of cruel violence that will make any choice but armed interference impossible to our own Government. The immediate effect of the legalization of the Opium, will be, I should suppose, to stimulate production at Bengal; there is some notion here that it will encourage the growth of the poppy in China, and that home-produced opium will thrust our own out of the market; eventually perhaps it may, but results of that kind are of slow growth.

No. 83.

Captain Elliot to the Foreign Office.—(*Received March* 2, 1837.)

(Extract.) *Macao, October* 10, 1836.

WE are in expectation of soon receiving the final orders from Pekin for the legalization of the opium. This is undoubtedly the most remarkable measure which has been taken in respect to the Foreign Trade, since the accession of this dynasty, when the ports on the coast were closed, and it had been prefaced by a series of reports to the Emperor, strikingly worthy of attention. They incline me to believe, that it wants but caution and steadiness to secure, at no very distant date, very important relaxations.

No. 84.

Captain Elliot, Chief Superintendent, to Viscount Palmerston.—(Received May 1, 1837.)

(Extract.) *Macao, December 14, 1836.*

BY a ship upon the point of sailing, I have the honour to acknowledge your Lordship's despatch, of June 15 of this year, to my address, accompanying despatches from May 28 to June 15, to the address of Sir George Robinson.

In conformity with these Instructions, I have this day assumed the chief place in the Commission. And with the expression of my thanks to your Lordship, I beg to convey my assurance, that I shall endeavour to justify the appointment, by a steady determination faithfully to discharge the duties intrusted to me. I apply myself to that purpose with a strong persuasion, that a conciliatory disposition to respect the usages, and, above all, to refrain from shocking the prejudices of this Government, is the course at once most consonant with the magnanimity of the British nation, and with the substantial interests at stake, in the maintenance of peaceful commercial relations with this Empire. Being thus impressed, my Lord, I hope it will be a source neither of surprise nor dissatisfaction to you to learn, that I do not propose to protract the actual interruption of our public communications, upon the ground that we have a right to a direct official communication with the Viceroy.

I will only add, that the very remarkable movements of this Government in respect to the foreign trade actually in agitation, and the critical state of uncertainty in which the results still remain, furnish me a strong additional motive for desiring to place myself at Canton as soon as possible.

The manner in which I propose to re-open the communications with the Viceroy, as the Select Committee was accustomed to conduct them, shall form the subject of an early despatch your Lordship.

No. 85.

Captain Elliot to Viscount Palmerston.—(Received May 1, 1837.)

My Lord, *Macao, December 30, 1836.*

IN my despatch to your Lordship of the 14th instant, I had the honour to state, that I should endeavour to open the communications with the provincial authorities forthwith; and that I should take an early opportunity to make known to your Lordship the means by which I hoped to accomplish that object.

I perceived that the recent arrival of your Lordship's despatches would afford me a favourable pretext for addressing myself to the Governor of the two provinces; and I was mindful that any delay in the communication of my appointment, might hereafter be construed into a point of a very suspicious nature, extremely difficult of satisfactory explanation: I lost no time, therefore, in drafting the accompanying note to his Excellency.

Another reason, too, had always presented itself to me, in recommendation of this prompt application to the Governor. It seemed that a communication forwarded on the very recent receipt of Instructions from His Majesty's Government, would of itself be a state of circumstances well calculated to dispose the Governor to lend a reasonable attention to moderate and unsuspicious overtures, respectfully submitted for his Excellency's adoption.

The translation of this paper was sealed up and directed in the same form in which the Select Committee of Supracargoes had been accustomed to superscribe documents to the Governor's address. In other words, the superscription bore the Chinese character "*Pin*," carrying in our language the signification of "an address from an inferior to a superior." It was then placed in an open envelope to the address of the Senior Hong merchant, and the whole in closure

was transmitted with the accompanying confidential letter to the Agents of the East India Company at Canton, and to two members of the principal British firms at that place.

These gentlemen were selected as being the most proper persons through whom the first declaration of my appointment and official character might be made, with a view to the sufficient formal authenticity of the fact.

Upon the morning of the 25th instant, I had the satisfaction to receive an official communication from the gentlemen to whom my address had been confided, covering an Edict from the Governor in reply to it, together with a note from Howqua.

Your Lordship will observe by the Governor's Edict, that he has required me to remain at Macao pending instructions from His Imperial Majesty; and further, that his Excellency commands certain officers and Hong merchants to visit me here for the purpose of clearing up some doubts which had presented themselves to his mind, as to the nature of my appointment, and the duties I am to perform.

The opinion I have formed of the tenor of his Excellency's Edict (which it is material to observe, carefully abstains from all notice of the events in 1834), is, that the Provincial Government, and probably the Court, would be well content to feel reassured in respect to the sentiments of His Majesty's Government upon those matters; and I have no doubt there is a disposition to draw to a close the present hazardous interruption of responsible communication and supervision at Canton.

I would in this place take the liberty to remark to your Lordship, that in the consideration of Chinese official papers, with a view to the detection of their real spirit, it has always seemed to me to be a point of principal moment, to weigh the effect of any distinctly promised course of action, and to attach a very subordinate degree of importance to their mere phraseology. I would by no means be supposed to think that I hold the consideration of the language to be without use for the due estimation of the intentions or dispositions of this Government, but I certainly am of opinion that it will always be found to be a sounder course steadily to look at the portions material of these instruments, and to draw our conclusions from these, than from the manner in which it is the custom of these people to dress or to cover up their purposes.

Testing the Governor's Edict by this principle, I would say that if his Excellency had informed me I must abide at Macao, without making a distinct specification of a line of proceeding upon his own part, I should have concluded that it was determined to adhere rigidly to the rule that the Chief must be a trading Chief. But coupled with the declaration, that the Chief ought to be a trading Chief, and that I must remain here for the present, the Governor signifies with great plainness, not only that he knows I am not a trading Chief, but that he will seek the Imperial sanction to let me proceed to Canton; and in order to leave me in little doubt that this application will be successful, he describes the steps he will take when that sanction arrives. This, in my manner of considering the matter, is to acquaint me that it is determined to permit me to repair to Canton. But at the same time, I conceive that his Excellency's desire is to be permitted to work out that end in his own fashion; that is to say, with due regard to a respectable mode of setting aside difficulties which it is so frequently the consequence of their jealous policy to create for themselves, as well as for others.

This Edict, my Lord, has appeared to me to justify some hope, that a point of no ordinary public moment is susceptible of attainment, namely, the direct Imperial sanction of the official character of a person at Canton, wholly unconnected with trade, and I trust your Lordship will approve of the terms in which I have replied to his Excellency's Edict with the intention to promote that result.

Upon the morning of the 28th instant, I received a visit from the Hong merchants, who had arrived at Macao with the Mandarins deputed by the Governor to seek some further explanation as to the nature of my office and duties, and upon the other matters noticed in his Excellency's Edict. These persons opened their mission by proposing that I should visit the Mandarins; a course, however, which I declined, upon the ground that I had no particular communication to make to them; I remarked at the same time, that these

officers

officers must be in every respect better judges than myself of any necessity which existed agreeably to the Governor's Edict, that they should see me; at all events, if they were of the mind that we ought to meet, I could assure them that it would give me great pleasure to have the honour of receiving them at my house; if they did not consider it requisite, I should be glad to suit their convenience, by affording the merchants any verbal explanation in my power upon those points which appeared to the Governor to need further explanation.

Renewed efforts were made in the course of the day to induce me to visit the officers; but I had strong reasons for declining to accede to that proposition; and I felt much satisfaction, that an obstacle (not of my creation) had arisen to prevent our meeting.

It occurred to me that there was a possibility the Mandarins might have propounded questions, with respect to the particular ship of war in which I came, and that the replies might have led us back to the consideration of events much better kept out of sight. If, upon the other hand, I had declined to answer such questions, it was to be apprehended, that my silence might have been construed into arrogant disrespect towards the Governor, and have induced inconvenient heats and suspicions. With the merchants, unembarrassed by the presence of the Mandarins, I was aware I stood in a far more favourable position. They would take all imaginable care to shape their questions in such wise as would make the avoidance of disagreeable topics no difficult matter.

Upon the occasion of this last visit to me on the night of the 28th, the merchants entreated that I would give them something under my own hand to show to the Mandarins; and I then caused the accompanying Memorandum to be translated, which I told them, they were at perfect liberty to hand to the officers.

They wished me also to sign a string of answers which they had drawn up from my conversation, and from the paper just referred to; but this I refused to do, not that there was any violation of the truth in what they had said, but I could not recognise their right to place me on examination on any subject whatever. If the Mandarins thought fit to come, I remarked, we would discourse at large upon any point of question they proposed; but I never could consent to set my hand to questions put to me by persons in the situation of the merchants.

When they found that this was my resolution, they left me, professing that they thought the Mandarins ought to be satisfied with what I had said, which I conclude they were, as I learnt that the whole deputation departed the next day (the 29th instant) to return to Canton, and report to the Governor.

I delivered to the merchants my reply to his Excellency's Edict. (See Inclosure No. 7.)

It is proper to state to your Lordship, that I took occasion to tell the merchants in strong terms, for communication to the authorities, that I could not undertake, upon the part of His Majesty's Government, the least share of responsibility, for the adjustment of any disputes or difficulties which might arise at Canton, pending my protracted absence from that place, in conformity with the Governor's desire.

His Excellency, in his wisdom and sense of justice, would admit, that it was fit I should be placed in a situation to prevent and control before I could be called upon to manage and adjust. This was an argument very congenial to the mode of general reasoning in this country upon all points of responsibility; and they assured me that it should be earnestly pressed upon the Governor's attention.

In this early stage of my correspondence with your Lordship's department, I would presume to observe, that I am not prone to attach easy credit to what I hear in respect to the temper and the views of the high native authorities. But upon this occasion, I certainly have a belief in the general rumour, that my approaches have been acceptable to the Governor, both in point of manner and matter.

The translation of my first note was executed with all the care that the Interpreters could give to it. And it is said by the Chinese to have drawn from his Excellency unequivocal marks of satisfaction.

I have to express my great obligations to Messrs. Astell and Clarke, for the zealous and very judicious manner in which they assisted me in the delicate task I felt myself called upon to impose on them; and I am also indebted to Messrs. Jardine and Dent, for their prompt concurrence in that transaction.

I have thus, my Lord, once more opened the communications with this Government; and I sincerely trust your Lordship will see no reason to disapprove of my motives, or of the manner of my proceeding. I have acted under a strong persuasion, that all hope of peacefully carrying the point of direct official intercourse was futile; that the actual condition of circumstances was hazardous; that the Instructions in my hand do not warrant the assumption, that I have any high political or representative character; and, finally, that the course itself which I have pursued is neither derogatory to the national honour, nor at variance with sound principles of public propriety and utility.

I shall venture to trouble your Lordship by an early occasion, with a few ideas as to the mode by which, in my opinion, it would be judicious to preface and accompany an attempt to carry the point of direct official communication not only to the Governor, but from the Governor, whenever it shall appear that sufficiently urgent public grounds exist for achieving such a concession.

Your Lordship will hear with satisfaction, that the trade at Canton is proceeding in tranquillity.

I have, &c.,

(Signed) CHARLES ELLIOT,
Senior Superintendent.

Inclosure 1 in No. 85.

Captain Elliot to the Governor of Canton.

Macao, December 14, 1836.

THE Undersigned has the honour most respectfully to announce to his Excellency the Governor of the two provinces, that he has this day received despatches from the English Government, appointing him to the station of Chief English Authority in China.

In the actual condition of circumstances, with no English authority at Canton, and with great numbers of English ships in the river, having on board many hundreds of sea-faring persons, and others little acquainted with the laws and customs of this empire, the Undersigned believes his Excellency will be of opinion, that he should be permitted to repair to Canton, with as little delay as possible, for the purpose of fulfilling the duties confided to his management.

The Undersigned has, therefore, the honour to request, that his Excellency will be pleased to issue orders to furnish him a passport to proceed to the Provincial City.

In using his most earnest efforts to maintain and promote the good understanding which has so long and so happily subsisted between this ancient and great empire and his own distant country, the Undersigned can assure his Excellency, that he is only conforming to the strong instructions of his own Government.

The Undersigned hopes he may permit himself to observe, in this place, that no task could be more agreeable to his own disposition, than the duty of diligently seconding these wise objects, by the sincerest personal desire to conciliate the good will of his Excellency.

The Undersigned has once more to offer his Excellency the sentiments of his most profound respect, and will conclude with the expression of an ardent hope, that his Excellency's administration of these provinces may be long and prosperous.

(Signed) CHARLES ELLIOT,
Senior Superintendent.

Inclosure 2 in No. 86.

Captain Elliot to Howqua, Senior Hong Merchant.

December 15, 1836.

ELLIOT, Director of Affairs of the English Nation, presents his compliments to Howqua, and requests him to present for him the accompanying address to his Excellency the Governor.

Inclosure 3 in No. 85.

Captain Elliot to Messrs. Astell, Clarke, Jardine, and Dent.

Gentlemen, *Macao, December* 16, 1836.

I TAKE the liberty to confide to your care a communication to his Excellency the Governor of the two provinces of Kwangtung and Kwangse, under an envelope to the Senior Hong Merchant.

The purpose of this address is to announce to his Excellency my appointment, by His Majesty's Government, to the station of Chief British Authority in China, and to request that a passport may be furnished to me to repair to Canton.

I would thank you, as soon as it may suit your convenience, to arrange a meeting with the Senior Hong Merchant, and after stating in a general term the circumstance of my nomination, and the nature of this address, I will beg you to deliver it to him, with a request, that no time may be lost in placing it in his Excellency's hands. It would, perhaps, be desirable to remark incidentally, that I shall remain at Macao pending the expression of his Excellency's pleasure.

I offer you no apology for the task I am imposing upon you, because I am persuaded it will afford you great satisfaction to lend me your best assistance on this and all other occasions involving the furtherance of the public service.

Several considerations dispose me to ask, that this letter may be deemed confidential for the present.

I have, &c.,
(Signed) CHARLES ELLIOT,
Senior Superintendent.

P.S. I will beg you to do me the favour to signify to Howqua, that four gentlemen, belonging to this establishment, would accompany me to Canton.

Inclosure 4 in No. 85.

Messrs. Astell, Clarke, Jardine, and Dent, to Captain Elliot.

Sir, *Canton, December* 23, 1836.

WE have the honour to acknowledge the receipt of your confidential communication of the 16th instant, inclosing an address to his Excellency the Governor of Kwangtung and Kwangse, requesting us to deliver the same to the Senior Hong merchant for presentation.

In conformity with your wishes, we forthwith requested the attendance of the senior Hong merchant, Howqua, and formally placed in his hands your communication. He inquired the nature of your appointment, to which we answered in brief and general terms; he then took his leave for the purpose of proceeding immediately into the city.

In the course of that day, we received a visit from Howqua and Mowqua, respecting information regarding one or two expressions in your address: we explained the matter as far as we were able, and in a manner apparently satisfactory to the merchants.

The 21st and 22nd instants passed without any interview.

This morning we have received a reply to your communication, delivered in person by Howqua, which we have now the honour to transmit to you.

In conclusion, we beg to assure you, that we shall, at all times consider it our duty to use our best exertions in the furtherance of the public service.

We have, &c.,
(Signed) J. H. ASTELL,
H. M. CLARKE,
Agents to the Honourable East India Company.
W. JARDINE,
LAUCT. DENT.

Inclosure 5 in No. 86.

The Governor of Canton to the Hong Merchants.

December 22, 1836

TANG, Governor of Kwangtung and Kwangse, &c., hereby issues orders to investigate certain matters.

I received, on the 13th day of the 11th month in the 16th year of Taoukwang (20th December), a petition forwarded from Macao by the English foreigner, Elliot, of the following tenor:

[*The address of December* 14, *is here inserted.*]

On the receipt of the above, I made examination, and find that since the English nation has had commercial intercourse here, it has, hitherto, established a Company, and appointed a Chief, Second, Third, and Fourth Supracargoes to come to Canton, and manage the trade. The foreign ships of the Company successively reached Canton on the 7th and 8th months of every year; and their cargoes having been changed, left the port and returned home in the course of the 12th month, and of the 1st and 2nd months of the following year. After the departure of all the foreign Company's ships out of the port, the Chief Supracargo of the Company, and all the foreign merchants of the said nation, requested permits to proceed to Macao and reside there. Then in the 7th and 8th months, when the merchant ships of the said nation again reached Canton, the Chief Supracargo and the others, requested permits to repair again to the provincial city, to transact the affairs of trade. This, the former mode of practice, continued for a long period to be the unvarying rule.

Not long since, in consequence of the dissolution of the Company, and the non-arrival of the Chief Supracargo, owing to which a man was wanting to take the general direction of these affairs, my predecessor in this Government addressed a memorial to the throne, and received the following Imperial Edict, that he should immediately command the Hong merchants to direct the private merchants to send home a letter, calling for the re-appointment of a Chief Supracargo, to repair hither to superintend the affairs of commerce, in order that the old ordinances might be complied with. Respect this! In respectful obedience hereto, my predecessor issued directions, and also commanded that a barbarian Eye [or headman] should not be again sent. This is on record.

Now, the said foreigner, Elliot, having addressed to me the above-cited information, it is doubtless my duty to report the same to the throne, for instructions how to act. But in the petition, I observe, that the said foreigner designates himself, "an officer from afar," which appears like the designation of a foreign Eye, and is not at all that of a Chief Supracargo. This being wholly inconsistent with the mode in which things were heretofore conducted, and the following points not having been at all distinctly stated by him, it becomes highly important to inquire, before acting, whether, in consequence of the dissolution of the said Company, the

the said nation has made a change in her regulations? What office the said foreigner actually holds at present from the said nation? Whether his object in coming to Canton is in truth merely to controul the several unconnected merchants; and if he is not at all to transact commercial business? and lastly, whether the despatches which he states that he has received from home, are sent by the said nation's King or not?

To make these inquiries, I send, as my deputy, Chang Sing, Magistrate of the district Yang-shan; I send also the Sub-Prefect stationed at Macao, and the Magistrate of the district Heang-shan. I, furthermore, issue this order to the senior merchants, requiring them on receipt hereof, as soon as possible to take their departure; and, in instant obedience hereto, to proceed speedily to Macao, that in the suite of my deputy, and of the local territorial officers above-named, they may investigate these particulars, viz.:—What office the said foreigner, Elliot, now holds from the said nation? In what respects he would come to Canton to superintend the foreign merchants? Why a Chief Supracargo does not come from the said nation, in place of a foreign Eye being sent? Whether he has really received written credentials from the said nation's King? Whether he has any ulterior aim? And what is the number of individuals in his suite? On all these points the real facts must be speedily made [known] to me, that I may examine and decide accordingly.

If, on examination, no covert purpose appear, then let orders be immediately enjoined on the said foreigner to reside for a time at Macao, and wait there till I, the Governor, shall have sent in a memorial to the Great Emperor. And as soon as I shall learn His Majesty's gracious pleasure, I will then address a communication to the Superintendent of Maritime Customs, calling on him to grant a passport for the said foreigner to come up to Canton, and oversee matters. When he thus comes up, he must comply with the old regulations, having a residence at Canton and another at Macao, and coming and going at the regular seasons. This is a law and ordinance of the Celestial Empire. The phraseology and subject-matter of the said foreigner's address are reverential and submissive. It seems that he understands matters, and he will, therefore, doubtless be implictly obedient in all things. During the residence of the said foreigner, for the present, at Macao, the local officers should still keep a diligent and faithful watch on him, day and night; and they must not allow the said foreigner to presume to leave Macao a single step, or to hold any communication or intercourse with people unconcerned. This is of the utmost importance. With trembling anxiety obey this, and oppose it not. A special order.

Taoukwang, 16th year, 11th month, 15th day (22nd December 1836.)

Inclosure 6 in No. 85.

The Hong Merchants to Captain Elliot.

December 23, 1836.

A RESPECTFUL communication. The other day we received the Petition which you sent for delivery to his Excellency the Governor. We immediately presented it, and have now received a public reply, of which, as is our duty, we transmit a copy, hoping, Sir, that you will examine and act accordingly. This is our prayer.

Signed by thirteen Hong merchants.

Inclosure 7 in No. 85.

Captain Elliot to the Governor of Canton.

Macao, December 28, 1836.

THE Undersigned has the honour respectfully to inform his Excellency the Governor, that he will continue to reside at Macao, pending the signification of His Imperial Majesty's gracious pleasure, that he should be received at Canton for the due performance of his duties.

The perfect fitness of this course, the Undersigned presumes to observe, is very apparent to him. In the mean time, it has been a source of great satisfaction to the Undersigned, to afford the honourable officers deputed by his Excellency, all the explanation required as to the nature of his duties, and the other points adverted to in his Excellency's Edict.

The Undersigned avails himself of this occasion to offer his Excellency the renewed expressions of his highest respect.

(Signed) CHARLES ELLIOT,
Senior Superintendent.

Inclosure 8 in No. 85.

Captain Elliot to the Hong Merchants.

Macao, December 28, 1836.

IN the conversation I had with the Hong merchants this morning I took occasion to explain to them very fully all points connected with my arrival, and the nature of my public occupations since I have resided here.

If my name has been improperly reported, it must be owing to some mistake of the pilots.

My Commission of authority is signed by my Gracious Sovereign; but my despatches lately received, as to the performance of my duties, are signed by His Majesty's Minister.

My duty at Canton will be, to conduct the public business of my nation, and by all possible means to preserve the peace which so happily subsists between the two countries.

(Signed) CHARLES ELLIOT,
Senior Superintendent.

No. 86.

Captain Elliot to Viscount Palmerston.—(Received May 1, 1837.)

My Lord, *Macao, December* 31, 1836.

I HAVE the honour to acknowledge your Lordship's despatch of the 28th May, to the address of Sir George Robinson.

In conformity with those Instructions, the accompanying Notice has this day been issued; and it is necessary that I should explain to your Lordship the reasons which induced me to take the liberty of inserting the last paragraph in this Instrument.

The despatches of my predecessor will have announced that the Governor of Macao has always refused to reply to our public communications, upon the ground that he has never been instructed by his own Government to recognise us in any official station here.

If, therefore, this Notice, dated at Macao, were published without some previous understanding with his Excellency, I felt assured that it would have drawn from him some strong public denial of a right upon our parts, to exercise

any

any manner of authority under Instruments done at Macao. The very considerable degree of public inconvenience which would have attended such a course upon his Excellency's part, need only be mentioned to be appreciated.

It is not my province to judge whether the arguments upon which his Excellency has founded his refusal to communicate officially with us, are perfectly sound. But I certainly did feel it was my duty to take all possible pains to carry your Lordship's highly necessary instructions upon the subject before me into efficacious, as well as immediate operation; and it was easy to set aside the first difficulty which would have arisen, if I had addressed him in writing, by the adoption of the course of personal communication.

In the commencement of our conference, his Excellency was still disposed to insist that the absence of instructions from his Government would make it incumbent upon him in a public manner, to deny our right to exercise public functions in Instruments dated at Macao. I explained to him, that the sole object of the present extension of our powers, was to give to our acts dated from this place, the same authority which they hitherto had, being dated within the limits of the Port of Canton; and in order to satisfy him that there was no wish upon our parts to exercise any independent authority in Macao itself, or in the anchorages subject to it, which might interfere with the just rights of Her Most Faithful Majesty, I proposed to insert the last paragraph.

After some time, I had the satisfaction to convince his Excellency that this was sufficient, and he then gave me his assurance that he would in no way interpose to disturb the state of things which the Notice announced.

Although I felt it expedient for the reasons I have now given, to make a declaration, that no acts done by us at Macao, are to be taken to be in prejudice of the just rights, authority, and sovereignty of Her Most Faithful Majesty, I can by no means undertake to define to your Lordship the nature or the extent of those rights, or of that authority.

It were certainly to be wished that the first were better understood by the foreign strangers in the settlement, and as respects the Chinese, that the last were more consistently asserted, and more effectually supported.

I have, &c.
(Signed) CHARLES ELLIOT.

Inclosure in No. 86.

PUBLIC NOTICE.

PURSUANT to instructions from the Right Honourable the Secretary of State for Foreign Affairs, dated in London, on the twenty-eighth day of May, in the year of our Lord, One thousand eight hundred and thirty-six, Public Notice is hereby given, that from the date of this notification, the powers of the Superintendents of the Trade of British subjects in China, over British subjects and ships, are extended so as to include Lintin and Macao.

And the authority of the Superintendents over British subjects and ships, is to be considered to extend to Macao, and to be of equal force and validity, being exercised within these extended limits, as it has hitherto been within the limits of the Port of Canton.

All this, without prejudice to the just rights, authorities, and sovereignty of the Government of Her Most Faithful Majesty the Queen of Portugal, at Macao and the anchorages thereto subject.

Given under our hands and Seal of Office, at Macao, in China, this thirty-first day of December, in the year of our Lord, One thousand eight hundred and thirty-six.

(L. S.) (Signed) CHARLES ELLIOT,
R. A. JOHNSTON,
Superintendents of the Trade of British subjects in China.

No. 87.

Captain Elliot to Viscount Palmerston.—(*Received June* 1, 1837.)

(Extract.) *Macao, January* 12, 1837.

IN respect to the Chinese character "*Pin*," upon the address of the communications to the Governor from persons in my station, I take the liberty to forward to your Lordship the accompanying Memorandum by Mr. Morrison, the Interpreter to this Commission.

It will be observed, that it is the identical character used by officers of the Chinese Government in their reports to superior officers. And having regard to the radical character under which it is classed, (*Shee*, to admonish, enjoin, or produce,) perhaps it may be rather thought to mean the respectful exhibition of information, than a distinct signification of the ideas, involved in our word "Petition."

Inclosure in No. 87.

Memorandum by Mr. Morrison.

Macao, January 13, 1837.

IN reference to your inquiry respecting the style in which the subordinate officers of the Chinese Government address the chief provincial authorities, and the signification of the terms by which their mutual addresses are distinguished, I hasten briefly to reply.

All officers holding subordinate jurisdiction, who are below the third rank, (of whom the highest may be regarded as corresponding in station to the prefects and sub-prefects of departments in France,) when addressing the chief authorities of the province, make use of the word "*Pin*," and they receive from the same authorities, documents denominated "*Yu*." The signification of these words I subjoin, as extracted from the Chinese Dictionary of Dr Morrison [Part II. Vol. I. page 671].

"'*Pin*,' commonly used to denote a clear statement of any affair made to a superior. *Pin*, is to state to a superior, whether verbally, or by writing, whether *petitioning* something, or to give *information* of; whether from the people to an officer of Government, or from an inferior officer to a superior several degrees higher. * * * Commands are called '*Yu*,' which word is used by superiors in the Government to express their *orders*, given to inferiors, or to the people."

These are the words which have always been used by foreigners in their correspondence with the Government; and "*Pin*" is the word which the Governor, in 1834, required Lord Napier to make use of.

As the ranks of officers approach more closely together, several other terms are used, marking either equality or minute grades of difference. My notes in regard to these are at Canton, and consequently I am unable at present to refer to them.

J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 88.

Viscount Palmerston to Captain Elliot.

(Extract.) *Foreign Office, June* 12, 1837.

I HAVE received your despatch of December 30, 1836, detailing the particulars of a communication into which you had thought proper to enter with the authorities of the Chinese Government at Canton, through the Hong merchants; and I have also received your despatch of January 12, 1837, in which you state the course which you intended to pursue until the arrival of further instructions from this Department.

I have now to desire that, upon the receipt of this despatch, you will forthwith inform the Hong merchants and the Viceroy that His Majesty's Government cannot permit that you, an officer of His Majesty, should hold communications with an officer of the Emperor of China, through the intervention of private and irresponsible individuals. You will, therefore, request that any communications which the Governor may have to make to you in future, may be sent to you direct; and that the Governor will consent to receive directly from you any communications on public affairs which the interests of the two Governments may require you to make to him. You will also explain, that if in future your written communications should not be endorsed with the character which is usually adopted by subordinate officers in China, when addressing representations to superior Chinese Authorities, this alteration will not arise from any want of respect on your part towards the Governor; but will simply be the result of the established usages of England, which do not admit that an officer commissioned by the King of England should so address an officer commissioned by any other Sovereign.

No. 89.

Captain Elliot to Viscount Palmerston.—(Received July 17, 1837.)

My Lord, *Macao, January* 27, 1837.

THE Inclosure No. 1, which I have now the honour to transmit, is an Edict from his Excellency the Governor of the Two Provinces, sent to me to-day, in acknowledgment of my note of December 28, 1836, already forwarded to your Lordship,—Inclosure No. 7 of my despatch of December 30, 1836.

I have at the same time been fortunate enough to procure, through a private native channel, a copy of his Excellency's memorial to the Emperor, upon this subject.

It is in every respect, my Lord, a remarkable paper.

His Excellency plainly signifies that he is sensible the formal admission of an officer is a novel principle, but he nevertheless urges its adoption, upon the ground that it is needful to waive something in point of form and ancient custom, for the sake of preserving a state of peaceful order at Canton.

The allusion to what has been collected at Macao by the deputation, in respect to my general dispositions, is a significant proof that both the court and the provincial authorities, have far less indifferent feelings to the great convenience of maintaining a good understanding with His Majesty's Government, than it is ordinarily their vain-glorious assumption to affect in those public papers which are intended for the eyes of foreigners.

The Governor would hardly have adverted to such a point in a report to the Emperor, unless it had been felt that it was a consideration calculated to have weight with his Imperial Majesty.

I believe your Lordship may assure yourself that the Imperial pleasure to furnish me a passport will soon be announced. And when I am once in the Provincial City under such a sanction, I have a strong hope that

by steadily taking advantage of favourable opportunities, I shall find no insuperable difficulty in carrying the point of direct official intercourse, without the intervention of the Hong merchants.

In the transmission of our papers to the Governor, the Hong merchants, indeed, are already merely messengers, for they unquestionably convey the papers to his Excellency's hands, sealed up. But in the passage of papers from the Governor to us, in a sealed shape, or at least through a respectable officer of the Government, there remains a substantial point to be gained.

Your Lordship may rely upon my best efforts to obtain this concession; and I hope I shall be excused for repeating in this place, that the actual turn of circumstances appears to render it easier of accomplishment than it has ever yet been.

This and all other advantages susceptible of quiet acquisition, seem to me to be less likely of accomplishment by direct applications for relaxation, than by placing ourselves unobtrusively in a situation which shall induce approaches from the Chinese authorities. The moment may be at hand when it will be in my power to signify to his Excellency the Governor, at a great advantage, and in the most deferential terms, that I should be glad to interpose in any particular task he may desire to put upon me, but that it is a business of great moment, and that I could not venture to do so except his Excellency's pleasure were either addressed directly to me in a sealed shape, or through some responsible officer of the Government.

The unsuspicious form and conciliatory terms in which I have approached the Governor, will, I am strongly disposed to think, soon draw his Excellency towards me.

There are many causes at work which must form the subject of early despatches to your Lordship that may lead to that state of circumstances.

I have, &c.

(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 89.

The Governor of Canton to the Hong Merchants.

January 24, 1837.

TANG, Governor of the provinces Kwangtung and Kwangse, &c., &c., issues this order to the Hong merchants, requiring their accurate acquaintance therewith.

The foreigner Elliot, English director of affairs, has presented an address, as follows:—

[Here follows Captain Elliot's address of December 28, promising to remain at Macao.]

This coming before me, I have looked at the subject, and find, that this foreigner having before presented an address to me, I immediately sent a deputy, and commanded him and the military and civil officers of the district, and the Hong merchants, to examine him faithfully and report to me. They have now examined and reported; and I, the Governor, have accordingly announced the facts to His Majesty. When I receive information that it is the gracious pleasure of the Great Emperor to allow his admission, I will then forward a communication to the Superintendent of Maritime Customs, that he may grant a passport for him to come to Canton to take the direction of affairs.

I forthwith make this known to you. On this order reaching the senior merchants, let them transmit directions to the said foreigner to act accordingly. Oppose not. A special edict.

16th year of Taoukwang, 12th month, 17th day (January 24, 1837.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Interpreter.

Inclosure 2 in No. 89.

Extract of a Memorial from the Governor of Canton to the Emperor, asking permission to allow Captain Elliot to reside at Canton.

SINCE it was first permitted to the various nations of foreigners, without the Empire's pale, to have commercial intercourse with Canton, the English trade has always been the largest. Heretofore the direction of that nation's trade was in the hands of a Company, by which, Chief, Second, Third, and Fourth Supracargoes were appointed to reside in Canton. All the Company's foreign vessels successively reached China during the 7th and 8th months of every year; and having exchanged their commodities, left the port during the course of the 12th month, and of the 1st and 2nd months of the following year. Having all left, the Supracargoes forthwith requested passports to proceed to Macao, and resided there until the return of their foreign vessels in the 7th and 8th months, when they again requested passports to come to Canton to transact their affairs. This is the way in which formerly, and for a long time past, these affairs were regulated.

At a later period, the Company having been dissolved, no Chief Supracargo was sent; and another person was directed to take the controul of affairs *. Your Majesty's Minister, Loo, then the Governor, having represented this, received your Majesty's commands, "immediately to direct the Hong merchants to desire the said private merchants to send a letter home to their country, calling for the renewed appointment of a Chief Supracargo who should come to Canton to direct commercial affairs, and thus should conform to the old enactments. Respect this." In respectful obedience hereto, directions were given, as is on record.

Now in the 11th month of the present year, I, your Majesty's Minister, have received from an English foreigner, Elliot, an address forwarded from Macao, to this effect:—"I have received despatches from my Government, specially appointing me to come to Canton, for the general controul of the merchants and seamen of my nation. Under present circumstances, there being very many ships in the port, and the merchants and seamen at Canton and Whampoa being very numerous, and many of them little acquainted with the laws of the Celestial Empire, I am apprehensive lest any difficulties should arise; and I intreat, therefore, permission to proceed to Canton for the direction of affairs."

Observing that this foreigner, in his address, calls himself an officer, which appears to be the designation of a barbarian head-man, and not at all of a Chief Supracargo; and that he does not plainly state in his address, what rank he now holds from his own nation; whether the purpose of his coming is simply to apply himself to the controul of the merchants and seamen, or whether he is also to transact commercial business, and whether he has credentials from his Government or not, I immediately sent a deputy to Macao, whom I directed to proceed thither with speed, to take with him Hong merchants; and, in conjunction with the local, civil, and military officers, to ascertain fully the truth on all these points. This having been done, the deputy and the others reported to me in the following terms:—"In obedience to the orders we received, we took with us the Hong merchants, and questioned the foreigner, Elliot, on each point distinctly. His information was that he, Elliot, was an English officer of the fourth grade; that in the autumn of the 14th year of Taoukwang, he came to China in a cruizer, as was at the time reported by the pilots; that he had remained two years in Macao, his business being to sign the papers of English merchant vessels; that now, the Company not having been re-established, and there being no Chief Supracargo, he had received his King's commands, through a letter from a great Minister of the first rank, informing him that he is appointed to controul the merchants and seamen,—not to controul commerce; that he has credentials, commanding him to hold the direction of affairs at Canton; and that

* This is an unofficial copy obtained through a private channel, and liable therefore to mistakes. There seems to be a mistake here: it should probably be read, "and there was no person to take the controul of affairs."

that in case of any disturbances, he alone is answerable. We also learned that the foreigner, Elliot, has brought with him a wife and a child, and a retinue of four persons. On inquiry, we found that the foreign barbarians at Macao, and the foreign merchants of his nation, all represented Elliot as a very quiet and peaceable man, and as having no ulterior object to effect."

This report having come before me, I find that since the dissolution of the English Company, a Chief Supracargo has not come hither; that of late, the ships' papers of foreign merchants returning home have been signed by this foreigner, who has resided at Macao for the purpose, and is represented to have quietly attended to his duty; and that at this present time, ships are constantly and uninterruptedly arriving, and the merchants and seamen are indeed very numerous. It would be well, promptly to relax the unimportant restraints in order to preserve peace and quiet. Now this foreigner having received credentials from his country, appointing him to the general controul of merchants and seamen: though he is not precisely the same as the Chief Supracargo hitherto appointed, yet the difference is but in name, for in reality he is the same. And, after all, he is a foreigner to hold the reins of foreigners; and if not allowed to interfere in aught else, it would seem that an alteration may be admitted; and that he may be permitted to come to Canton and direct affairs, according to the same regulations under which the Chief Supracargoes have hitherto acted. I have, for the present, commanded the said foreigner to remain temporarily at Macao, waiting until I shall have announced the facts to your Majesty. If your Majesty's gracious assent be vouchsafed, I will then write to the Superintendent of Maritime Customs to grant a passport for his admission to Canton. Thereafter, he shall be required to change his residence from Canton to Macao and back again, according to the season, just as under the former regulations; and he shall not be allowed to overpass the time, and linger about at the capital, so as gradually to effect a settlement here. I will besides command the local, civil, and military officers, and the Hong merchants, from time to time, truly to watch and examine his conduct, and if he exceeds his duty, and acts foolishly, or forms connexions with traitorous Chinese, with a view to twist the laws to serve private interests, he shall be immediately driven forth, and sent back to his country. Thus will the source of any illegalities be closed up.

It is my duty to lay this before your Majesty, that the correctness or incorrectness of my views may be determined; and for this purpose I subjoin to my memorial these remarks. Prostrate imploring your sacred Majesty to grant me instructions.

A respectful memorial.

[Without date.]

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Interpreter.

No. 90.

Captain Elliot to Viscount Palmerston.—(*Received July* 17, 1837.)

My Lord, *Macao, February* 2, 1837.

I HAVE now the honour to transmit to your Lordship as remarkable a series of papers as has ever yet emanated from the Government of this country in respect to the foreign trade. They are arranged in the order in which they came into our hands.

Vague reports had reached the factories several months before the Memorial of Heu-Naetse, No. 1, fell into our possession, to the effect that the Court was seriously contemplating the legalization of the opium trade. Little credit, however, was attached to these rumours. But I confess I was one amongst the very few persons who thought they were well founded; and notwithstanding all the actual degree of rigorous prohibition, I am still of opinion that the legal admission of the opium may be looked for.

The first paper I ever saw which led me to reason that such a measure had been entertained at Peking, is a striking Memorial from the late Governor and Lieutenant-Governor of these provinces to the Emperor. It is without date, but it came into the possession of the foreigners so remotely as the year 1832.

In this document there is a forecast of the scheme of legalization; and it is difficult to believe that the high officers of such a Government as this, would have ventured to shadow it forth, even in far more obscure terms than these, if they had not been sensible that there was already a powerful party in favour of the measure. This hint drew down upon their Excellencies, indeed, the formal censure of His Imperial Majesty, but still the idea will present itself that the policy must have had its influential advocates, even at that distant date. "We, your ministers," say the memorialists, "after humble consideration, are of opinion that opium having become prevalent in the country, vagabonds who smoke it to the injury of their lives and of their constitutions, do so entirely from their own stupidity, and refusal to be aroused, and are therefore unworthy of regret. But the loss of wealth, and waste of treasure, are exceedingly great, and the evil suffered is not indeed light. If at this time it were suffered to be brought in and publicly used, with legal permission, as a medicine, this would prevent the foreigners from raising the price to an enormous height. Thus also might a silent impediment" (probably the encouragement of native growth may be here implied,) "be placed in the way of their avaricious plans and large profits."

At this point, the memorialists inquire with an abruptness which might induce some impression that it was their purpose to recommend increased vigour in the prohibition system,

"Still, then, would not this be a sudden acquiescence in, and give unlimited license to, the evil?"

But this reflection, on the contrary, is the preface to a strong and faithful picture of the mischief, and the hopelessness of all proceedings of that kind. The forts might be strengthened, additional forces stationed at the passes; the traffic, they observe, would but remove to other places; and what would be the effect of the renewed vigilance of the Government? Only "to open a way to piratical banditti to assume the appearance of Government runners, in order to stop and clandestinely search boats. In Canton Province of late years," continue the memorialists, "the plunderers of trading boats on the coasts and rivers, and the plunderers of travelling merchants on land, who have, under the pretence of searching for opium, wantonly troubled others, and involved them in the prevalent illegality, are more than can be told. And the quantities of opium dirt which civil and military officers have at various times been sent to burn and destroy are incalculable. Yet, after all, we do not know in what respect the illegality has been repressed."

But, my Lord, vast as the mischief of this system must have grown to be, a system of most extensive law-breaking, carried on under the sanction of the

Emperor, and with the active connivance of the high officers of these Provinces, yet in my opinion, it is not to motives arising from such grounds of consideration, that the contemplated change must be ascribed. There is little reason to conclude that the recommendation of such a policy as this would ever have been allowed to be published, still less that the policy itself would be worked out, if there were no more urgent incentives to its adoption than are to be found in the awakening spirit of public virtue upon the part of the Chinese Government.

The opium trade only commenced, or subsisted, as its present state of stagnation indisputably proves, by reason of the hearty concurrence of the chief authorities of these provinces, and, indeed, also of the Court. No portion of the trade to this country more regularly paid its entrance than this of the opium. The least attempt to evade the fees of the Mandarins was almost certain of detection and severe punishment, and a large share of these emoluments reached not merely the higher dignitaries of the Empire, but, in all probability, in no very indirect manner, the Imperial hand itself.

The origin of the legalization scheme is to be ascribed, I believe, mainly, if not entirely, to the following causes.

1stly. To the intense political disquietude of the Court at the extension of the trade on the north-east coasts.

2ndly. To the increasing alarm which is felt at what is considered to be the irrecoverable disappearance of the real wealth of the country, that is to say, the silver in exchange for the opium.

The first cause has possibly operated with additional force, since the events of 1834, at Canton; and the visits of the Missionaries to the coasts, in 1835 and 1836, with tracts in the Chinese language, have also unquestionably attracted the anxious attention of the Court. Their appearance has naturally been connected with that of the opium ships, although I believe, in most instances, unfoundedly. More than one Imperial Edict has been promulgated upon the subject of these tracts: not that there is any reason to believe the religious writings are of themselves very hostilely considered, but it is, no doubt, apprehended that they who bring tracts of one description may very well bring those of another, and more dangerous. It will be no source of surprise to your Lordship that the Chinese Government should be wholly unequal to the conception of the motives which influence these pious men, and that their visits to the coast should be ascribed to purposes calculated to excite extremely disquieting suspicions. The papers now transmitted furnish evidence of a strong difference of sentiment at Peking, upon the subject of the admission of the opium; and it must be conceded that such a circumstance leads to a higher opinion of the integrity of exalted Chinese functionaries than is commonly entertained. One or other of these Ministers must, in all probability, be reporting in a sense which he knows is contrary to that of the Emperor.

Considering, however, the probable moral condition of such a court as this, and having regard to the force of those impressions by which it seems to be actuated on this occasion, I cannot but think your Lordship will be of opinion that the counsels of they who advocate the more immediately politic expedient, will prevail over adverse reasoning, founded upon high principles, and remote mischief.

Indeed, the Emperor's Edict, (No. 7,) appears to me, more particularly when it be considered in connexion with the actual proceedings of the Provincial Government, to afford conclusive proof that the measure is determined upon. What remained to be done was to preface the promulgation of the Edict by such a course of severity and earnest restriction as might convince both foreigners and natives that the obstruction of the outside trade was a possible state of circumstances.

If this course had not been steadily pursued for some considerable period of time, and successively pursued, the Chinese Government must have perceived that the legalization project would have been wholly inoperative. So long as the native dealers would not be afraid to come to the ships outside with their ready money, and receive the opium there, the foreign merchants would never have brought in, and delivered it to the merchants of the Co-hong (consisting for the most part, of bankrupt men), to be taken on account, and realized

realized principally by the tedious and unfavourable process of barter, for the export staples of tea and silk.

This timid and cautious Government is not prone needlessly to try hazardous experiments upon the patience of its own people or on that of eager foreigners. And it is the very reality of all the actual degree of rigorous prohibition which most convinces me of the certainty of the coming change. There is enough of proof that these severities are persisted in under feelings of extreme solicitude, and only because the Government is sensible that they are of indispensable necessity to the successful transition to a safer state of things. If the change were not deliberately resolved upon, and possibly ready for promulgation at any moment of difficulty which may present itself, it certainly is my own opinion that the restrictions would long since have relapsed into the mere wordy denunciations of the passed times.

I ought not to omit to mention to your Lordship, however, that it is confidently rumoured, the Governor has sought permission from the Court to give the trial of a year to the effect of the present system of obstruction; but we hear, at the same time, that his Excellency is in some hope of being removed from the Government of these provinces. The last report, in my mind, rather strengthens the probability of the other.

It is conceivable that the Governor cannot desire to be the principal responsible agent in the safe working out of a great change of this description; and it certainly may be possible that his representations and requests for the delay of a year, would dispose the party at Peking, adverse to the legalization, to make another earnest effort to defer the measure. But I cannot think that such a proposition would find favour with the Emperor, because it is plain that the present course is not susceptible of safe protraction.

In a few weeks, the produce of the first opium sales of the year in Bengal must arrive here, and then, if the restrictions continue, this trade will, in all probability, immediately assume a different character. From a traffic prohibited in point of form, but essentially countenanced, and carried on entirely by natives in native boats, it will come to be a complete smuggling trade. The opium will be conveyed to parts of the coast previously concerted in Canton, in British boats, and thence be run by the natives; thus throwing our people into immediate contact with the inhabitants on shore, and certainly, in other respects, vastly enhancing the chances of serious disputes and collision with the Government officers.

It seems to be probable that this state of things would either hasten forward the legalization edict, or in the event of any check to our boats, defer it to some indefinite period, and in other ways very inconveniently alter the whole position of circumstances in this country.

Without troubling your Lordship, however, for the present with any further speculations as to the turn that events may take, it is now my duty to state, that at this moment, and for the last two months, the Local Government has been pursuing a system of severe restriction with respect to this branch of the trade, which has been successful to a great extent.

Indeed, I am sorry to inform your Lordship, that at the actual conjuncture, our whole commerce is passing through a trial of rather a distressing nature.

The abolition of the Company's monopoly has been attended, as was to be expected, with some considerable degree of overtrading. The increased imports of British manufactures have been heavy, and the returns in this market have hitherto been carried up and sustained greatly beyond their former limits by the eagerness of new competitors, in spite of large stocks and reduced prices in England. The locking up of the silver, too, which has accompanied the interruption of the opium deliveries, (for that drug may be described to be the only money-turning wheel of the trade, the rest being principally accomplished by barter,) has considerably aggravated the embarrassment of the merchants, by crippling their means of forcing down the high rates of the export staples.

In the course of a few days, I shall have the honour to transmit to your Lordship copies of letters I propose to address to the Right Honourable the Governor-General, and the Honourable the Rear-Admiral commanding in chief, on this subject.

It seems likely that the visits of men-of-war at this crisis, for short periods, and at brief intervals, would have the effect either of relaxing the restrictive spirit of the Provincial Government, or of hastening onwards the legalization

measure, and thus, by the one mode or the other, of releasing the trade from its actual condition of stagnation.

Your Lordship, I hope, will consider I am justified in respectfully moving these authorities to do what can be done (safely and without inconveniently committing His Majesty's Government,) towards the relief of the most important branch of this trade; with the languor of which the whole British commerce to the empire necessarily sympathizes in a very serious degree.

The imports of opium last year, on the account of our merchants, amounted to nearly 18,000,000 of dollars, being about 1,000,000 in excess of the whole value of teas and silk exported during the same period on British account.

Your Lordship will judge how unfortunately the interruption of this traffic must operate on the general commerce. Trusting that the importance of this subject will be my excuse for this long despatch,

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 90.

Memorial from Heu-Naetse to the Emperor, proposing to legalize the importation of Opium.

Preamble.

HEU-NAETSE, Vice-President of the Sacrificial Court, presents the following memorial in regard to opium, to show that the more severe the interdicts against it are made, the more widely do the evils arising therefrom spread; and that it is right urgently to request, that a change be made in the arrangements respecting it; to which end he earnestly entreats His Sacred Majesty to cast a glance hereon, and to issue secret orders for a faithful investigation of the subject.

Qualities and effects of opium.

I would humbly represent that opium was originally ranked among medicines; its qualities are stimulant; it also checks excessive secretions; and prevents the evil effects of noxious vapours. In the Materia Medica of Le Shechin, of the Ming dynasty, it is called Afooyung. When any one is long habituated to inhaling it, it becomes necessary to resort to it at regular intervals, and the habit of using it, being inveterate, is destructive of time, injurious to property, and yet dear to one even as life. Of those who use it to great excess, the breath becomes feeble, the body wasted, the face sallow, the teeth black: the individuals themselves clearly see the evil effects of it, yet cannot refrain from it. It is, indeed, indispensably necessary to enact severe prohibitions in order to eradicate so vile a practice.

Different kinds of the drug.

On inquiry, I find that there are three kinds of opium: one is called Company's, the outer covering of it is black, and hence it is also called 'black earth;' it comes from Bengal: a second kind is called 'white-skin,' and comes from Bombay: the third kind is called 'red-skin,' and comes from Madras. These are places which belong to England.

Laws in relation to opium.

In Keenlung's reign, as well as previously, opium was inserted in the tariff of Canton as a medicine, subject to a duty of three taels per hundred catties, with an additional charge of two taels, four mace, and five candareens, under the name of charge per package. After this, it was prohibited. In the 1st year of Keaking, those found guilty of smoking opium were subject only to the punishment of the pillory and bamboo. Now they have, in the course of time, become liable to the severest penalties, transportation in various degrees, and death after the ordinary continuance in prison. Yet the smokers of the drug have increased in number, and the practice has spread throughout almost the whole empire. In Keenlung's and the previous reigns, when opium passed through the Custom-House and paid a duty, it was given into the hands of the Hong merchants in exchange for tea and other goods. But, at the present time, the prohibitions of Government being most strict against it, none dare openly to exchange goods for it; all secretly purchase it with money. In the reign of Keaking, there arrived, it may be, some hundred chests annually. The number has now increased to upwards of 20,000 chests, containing each a hundred catties. The 'black earth,' which is the best, sells for about 800 dollars,

Nature of the trade in opium.

dollars, foreign money, per chest; the 'white-skin,' which is next in quality, for about 600 dollars; and the last, or 'red-skin,' for about 400 dollars. The total quantity sold during the year amounts in value to ten and some odd millions of dollars; so that, in reckoning the dollar at seven mace, standard weight of silver, the annual waste of money somewhat exceeds ten millions of taels. Formerly, the barbarian merchants brought foreign money to China; which, being paid in exchange for goods, was a source of pecuniary advantage to the people of all the sea-board provinces. But latterly, the barbarian merchants have clandestinely sold opium for money; which has rendered it unnecessary for them to import foreign silver. Thus foreign money has been going out of the country, while none comes into it.

During two centuries, the Government has now maintained peace, and by fostering the people, has greatly promoted the increase of wealth and opulence among them. With joy we witness the economical rule of our august Sovereign, an example to the whole empire. Right it is that yellow gold be common as the dust.

Arguments.
1. Effects of the trade on currency.

Always in times past, a tael of pure silver exchanged for nearly about 1000 coined cash, but of late years the same sum has borne the value of 1200 or 1300 cash: thus the price of silver rises but does not fall. In the salt agency, the price of salt is paid in cash, while the duties are paid in silver; now the salt merchants have all become involved, and the existing state of the salt trade in every province is abject in the extreme. How is this occasioned but by the unnoticed oozing out of silver? If the easily exhaustible stores of the central spring go to fill up the wide and fathomless gulf of the outer seas, gradually pouring themselves out from day to day, and from month to month, we shall shortly be reduced to a state of which I cannot bear to speak.

2. To cut off all the foreign trade would be wrong,

It is proposed entirely to cut off the foreign trade, and thus to remove the root, to dam up the source of the evil. The Celestial Dynasty would not, indeed, hesitate to relinquish the few millions of duties arising therefrom. But all the nations of the West have had a general market open to their ships for upwards of a thousand years; while the dealers in opium are the English alone; it would be wrong, for the sake of cutting off the English trade, to cut off that of all the other nations. Besides, the hundreds of thousands of people living on the sea-coast depend wholly on trade for their livelihood, and how are they to be disposed of? Moreover, the barbarian ships, being on the high seas, can repair to any island that may be selected as an entrepôt, and the native sea-going vessels can meet them there; it is then impossible to cut of the trade. Of late years, the foreign vessels have visited all the ports of Fuhkeen, Chekeang, Keangnan, Shantung, even to Teentsin and Mantchouria, for the purpose of selling opium. And although at once expelled by the local authorities, yet it is reported that the quantity sold by them was not small. Thus it appears that, though the commerce of Canton should be cut off, yet it will not be possible to prevent the clandestine introduction of merchandise.

and is, in fact, impracticable.

3. The illicit introduction of opium is not solely owing to negligence of officers, and cannot be prevented.

It is said, the daily increase of opium is owing to the negligence of officers in enforcing the interdicts! The laws and enactments are the means which extortionate underlings and worthless vagrants employ to benefit themselves; and the more complete the laws are, the greater and more numerous are the bribes paid to the extortionate underlings, and the more subtle are the schemes of such worthless vagrants. In the first year of Taoukwang, the Governor of Kwangtung and Kwangse, Yuen Yuen, proceeded with all rigour of the law against Ye Hangshoo, head of the opium establishment then at Macao. The consequence was, that foreigners having no one with whom to place their opium, proceeded to Lintin to sell it. This place is within the precincts of the Provincial Government, and has a free communication by water on all sides. Here are constantly anchored seven or eight large ships, in which the opium is kept, and which are therefore called 'receiving ships.' At Canton there are brokers of the drug, who are called 'melters.' These pay the price of the drug into the hands of the resident foreigners, who give them orders for the delivery of the opium from the receiving ships. There are carrying boats plying up and down the river; and these are vulgarly called '*fast-crabs*' and '*scrambling dragons*.' They are well armed with guns and other weapons, and are manned with some scores of desperadoes, who ply their oars as if they were wings to fly with. All the Custom-houses and military posts which they pass are largely

bribed. If they happen to encounter any of the armed cruizing boats, they are so audacious as to resist, and slaughter and carnage ensue. The late Governor Loo, on one occasion, having directed the Commodore Tsin Yuchang to co-operate with Teen Poo, the district magistrate of Heangshan, they captured Leang Heennee with a boat containing opium to the amount of 14,000 catties. The number of men killed and taken prisoners amounted to several scores. He likewise inflicted the penalty of the laws on the criminals Yaoukow and Owkwan (both of them being brokers), and confiscated their property. This shows that faithfulness in the enforcement of the laws is not wanting; and yet the practice cannot be checked. The dread of the laws is not so great on the part of the common people, as is the anxious desire of gain, which incites them to all manner of crafty devices; so that sometimes, indeed, the law is rendered wholly ineffective.

4. Evil consequences of this illicit introduction.

There are also, both on the rivers and at sea, banditti, who, with pretence of acting under the orders of the Government, and of being sent to search after and prevent the smuggling of opium, seek opportunities for plundering. When I was lately placed in the service of your Majesty, as Acting Judicial Commissioner at Canton, cases of this nature were very frequently reported. Out of these arose a still greater number of cases, in which money was extorted for the ransom of plundered property. Thus a countless number of innocent people were involved in suffering. All these wide-spread evils have arisen since the interdicts against opium were published.

5. Worthless character of opium smokers.

It will be found, on examination, that the smokers of opium are idle, lazy vagrants, having no useful purpose before them, and are unworthy of regard, or even of contempt. And though there are smokers to be found who have overstepped the threshold of age, yet they do not attain to the long life of other men. But new births are daily increasing the population of the empire; and there is no cause to apprehend a diminution therein; while, on the other hand, we cannot adopt too great, or too early, precautions against the annual waste which is taking place in the resources, the very substance of China.

Inference that the opium trade should be legalised.

Since then, it will not answer to close our ports against [all trade], and since the laws issued against opium are quite inoperative, the only method left is to revert to the former system, to permit the barbarian merchants to import opium paying duty thereon as a medicine, and to require that, after having passed the Custom-House, it shall be delivered to the Hong merchants only in exchange for merchandise, and that no money be paid for it. The barbarians finding that the amount of duties to be paid on it, is less than what is now spent in bribes, will also gladly comply therein. Foreign money should be placed on the same footing with sycee silver, and the exportation of it should be equally prohibited. Offenders, when caught, should be punished by the entire destruction of the opium they may have, and the confiscation of the money that may be found with them. With regard to officers, civil and military, and to the scholars and common soldiers, the first are called upon to fulfil the duties of their rank and attend to the public good; the others, to cultivate their talents, and become fit for public usefulness. None of these, therefore, must be permitted to contract a practice so bad, or to walk in a path which will lead only to the utter waste of their time, and destruction of their property. If, however, the laws enacted against the practice be made too severe, the result would be mutual connivance. It becomes my duty, then, to request that it be enacted, that any officer, scholar, or soldier, found guilty of secretly smoking opium, shall be immediately dismissed from public employ, without being made liable to any other penalty. In this way, lenity will become in fact severity towards them. And further, that if any superior or general officer be found guilty of knowingly and wilfully conniving at the practice among his subordinates, such officer shall be subjected to a Court of Inquiry. Lastly, that no regard be paid to the purchase and use of opium on the part of the people generally.

Officers, &c., not however to be allowed to smoke it.

Objections answered: the dignity of the government not injured by the proposed change.

Does any suggest a doubt, that to remove the existing prohibitions will derogate from the dignity of Government? I would ask, if he is ignorant that the pleasures of the table and of the nuptial couch may also be indulged in to the injury of health? Nor are the invigorating drugs *footsze* and *wootow* devoid of poisonous qualities: yet it has never been heard that any one of these has been interdicted. Besides, the removal of the prohibitions refers only to the vulgar and common people, those who have no official duties to perform. So long as the officers of Government, the scholars, and the military,

are

are not included, I see no detriment to the dignity of Government. And by allowing the proposed importation and exchange of the drug for other commodities, more than ten millions of money will annually be prevented from flowing out of the Central land. On which side then is the gain,—on which the loss? It is evident at a glance. But if we still idly look back and delay to retrace our steps, foolishly paying regard to a matter of mere empty dignity, I humbly apprehend that when eventually it is proved impossible to stop the importation of opium, it will then be found that we have waited too long, that the people are impoverished, and their wealth departed. Should we then begin to turn round, we shall find that reform comes too late.

Though but a servant of no value, I have by your Majesty's condescending favour been raised from a subordinate censorship to various official stations, both at court and in the provinces; and filled, on one occasion, the chief judicial office in the region south of the great mountains (Kwangtung). Ten years spent in endeavours to make some return have produced no fruit; and I find myself overwhelmed with shame and remorse. But with regard to the great advantages, or great evils, of any place where I have been, I have never failed to make particular inquiries. Seeing that the prohibitions now in force against opium serve but to increase the prevalence of the evil, and that there is none found to represent the facts directly to your Majesty, and feeling assured that I am myself thoroughly acquainted with the real state of things, I dare no longer forbear to let them reach your Majesty's ear. Prostrate, I beg my august Sovereign to give secret directions to the Governor and Lieutenant-Governor of Kwangtung, together with the Superintendent of Maritime Customs, that they faithfully investigate the character of the above statements, and that, if they find them really correct, they speedily prepare a list of regulations adapted to a change in the system, and present the same for your Majesty's final decision. Perchance this may be found adequate to stop further oozing out of money, and to replenish the national resources. With inexpressible awe and trembling fear, I reverently present this memorial and await your Majesty's commands. Conclusion.

Inclosure 2 in No. 90.

Imperial Edict in reply to the foregoing Memorial.—(June 12, 1836.)

HEU-NAETSE, Vice-President of the Sacrificial Court, has presented a memorial in regard to opium, representing that the more severe the interdicts against it are made, so much the more widely do the evils arising from it spread; and that of late years, the foreigners, not daring openly to give it in barter for other commodities, have been in the habit of selling it clandestinely for money, thus occasioning an annual loss to the country, which he estimates at above ten millions of taels. He therefore requests that a change be made in regard to it, permitting it again to be introduced, and given in exchange for other commodities. Let Tang Tingching and his colleagues deliberate on the subject, and then report to us. Let a copy of the original memorial be made for their perusal, and sent with this edict to Tang Tingching and Ke Kung, who are to enjoin it also on Wan. Respect this. The provincial government is directed to deliberate and report on the subject.

Inclosure 3 in No. 90.

Report made to the Chinese Government by the Hong Merchants.

IN obedience to the commands of his Excellency the Hoppo, to deliberate on certain particulars, we now present for perusal the result of our deliberations, arranged under [four] distinct heads. Report made by the Hong merchants under four heads:

First. We received directions "to examine in regard to the following statement, contained in a memorial presented to the Emperor (whereof a copy was previously transmitted), namely, 'that foreign merchants dare not openly 1. Exportation of Sycee silver.

take goods in barter for opium, but always clandestinely sell it for sycee silver.' Now the exportation of sycee silver (it was always remarked) has long been interdicted; and the said merchants surely do not presume to contravene the regulations in the least degree. Yet it may be difficult to aver, that not a single illegality is committed by them; and still more difficult would it be to stand answerable, that there are no traitorous natives who carry on a clandestine commerce."

It is not exported by the Hong merchants, but by others clandestinely.

In reply hereto, we the Hong merchants would humbly represent, that it is really owing to the strictness of the Governmental regulations that foreigners are prevented from openly taking goods in barter for opium. In regard to sycee silver, we, every year, severally and voluntarily enter into bonds, that we will on no account aid and abet the foreigners in exporting it, which bonds are presented to your Excellencies. How can we possibly contravene the regulations, and so render ourselves criminal? Yet it is indeed, as his Excellency the Hoppo says, difficult to stand answerable that there are no traitorous natives who carry on a clandestine commerce. To watch against such an illicit commerce is, however, beyond *our* power; and it therefore behoves us to request that the rule in regard to seizures of smuggled commodities, may be brought into operation, this rule, namely, that the capturers shall be liberally rewarded. In pursuance of this a certain proportion of all sycee silver, that may hereafter be captured, should be given for an encouragement to the capturers, and thus those who receive such rewards will be induced to exert themselves in an extraordinary degree; and the smugglers, knowing that such rewards are held out, will at once become intimidated.

How to prevent this.

2. Inquiries in regard to interchange of commodities.

Secondly. We received the following inquiries to direct our deliberations: "The foreign merchants have need of teas, rhubarb, cassia, sugar, silk, &c., which articles must have been heretofore kept in store by the Hong merchants, so as to be in readiness to be exchanged for imported goods. Should the amount of imported commodities become hereafter too great, how can warehouse room be afforded, in order to retain such commodities for gradual sale? And can it be so arranged, that, when it is impossible to effect an immediate sale, and the foreign merchant finds himself unable to wait longer, he may be allowed to return home, leaving his goods with the Hong merchant to sell for him as opportunities offer, and on his return receiving such an amount of merchandise as is due to him in exchange? Let these questions be well considered."

Mode in which such interchange is now effected.

In answer hereto, we would humbly point out what has been hitherto the practice: On foreign vessels coming to Canton to trade, their cargoes are sent up to our hongs; and then a list is given by each foreign merchant of the native commodities required in return, which commodities we purchase for them from the various dealers therein. We never keep a stock of each article on hand. And of late years our means have been very much reduced, so that often we are unable to pay in due season the duties accruing: how then can we possibly lay in a store of ready purchased articles? If it happen that too great a quantity of any article is introduced, so that it cannot be sold off at once, and the vessel is to sail immediately, the security merchant in that case applies to the foreigner for the amount of duties due, that he may pay them for him. The unsold goods remain in our hongs to be disposed of as opportunities offer; and when the foreign merchant returns to Canton, he then takes out the value thereof in native commodities. This is the way in which the trade has hitherto been conducted, and we would request that it may continue to be conducted in the usual manner.

This mode should be still adhered to.

3. To prevent illegalities, should not one merchant be made alone answerable for all duties on opium?

Thirdly. We received directions to deliberate on the following questions: "Whether, if opium should be imported through the usual channel for other commodities (the Hongs), *any* Hong merchant being at liberty to land and enter it at the Custom-house, it will not be found difficult to guard against illegalities in the trade? Whether it will not rather be requisite to make one of the most opulent of the senior merchants responsible, namely, one in whom entire confidence can be placed, and one in whom the foreigners habitually place implicit trust; and to require him *alone* to enter the cargoes of opium for examination at the Custom-house, and to pay the duties; still, however, allowing the foreigner to sell it at its market value, to whichever Hong merchant he may choose, in order to prevent a monopoly? Also, whether the Hong merchants should not still be required to give bonds as formerly, and to state the persons to whom they

Should not periodical statemens be required from each merchant.

they have sold opium, the places whither it has been transported, and what amount (if any) of silver, sycee or foreign, has been given for it,—each separate transaction to be reported at the time, and a monthly statement to be made out and presented at the offices of the Governor and Hoppo, in order to enable them to make their reports to the Board of Revenue."

In reply to this, we would humbly notice some particulars of the mode in which we have heretofore conducted our traffic with the foreigners. We have indeed exchanged one commodity for another; but often, when the value of the imports and exports has been unequal, the balance has been paid, both by native and foreign merchants, to one another, in foreign money. And when, in consequence of the commodities of a country being saleable but to a very small extent, at Canton, large sums of foreign money have been imported for the purpose of purchasing a cargo, then no restriction has been placed on the re-exportation of any remaining sum. Hence the "exportation of three-tenths"* has received the sanction of Government. Again, there are cases in which full cargoes are imported, while—in consequence of the prices of native commodities being too high, or the commodities themselves not calculated for sale in the places from whence the vessels come—the exported cargoes are small. The surplus foreign money, then, being greater in amount than the "exportable three-tenths," whatever exceeds that amount is either left here for the purchase of other goods, or is lent to other foreigners. This is a thing of common occurrence. For instance, of the rice-laden ships which now enter the port, the largest bring cargoes of somewhat above 10,000 peculs, amounting in value to but 20,000 or 30,000 dollars; and the smaller ones bring cargoes of, it may be 5,000 or 6,000 peculs, the value of which is no more than 10,000 and odd dollars. Yet these same vessels return with export cargoes of the value of 200,000 or 300,000 dollars, or at least of from 100,000 to 200,000 dollars. The money required to purchase these cargoes is therefore frequently borrowed from foreigners, who have a balance in money, in excess of that portion of the price of their import cargoes for which they have taken goods. This, then, is a clear proof that, in the instance of rice-laden vessels, the unemployed balance possessed by other foreigners is borrowed, in order to purchase exports wherewith to send them back to their country.

In answer, it is shown that the exportation of silver must not be wholly forbidden.

That the foreigners may often avoid exporting bullion.

Now, in reference to the question at present under consideration, whether permission shall be given to import opium, paying a legal duty thereon, we have, as a provision in case that such permission should be given, inquired of the foreign merchants if they can export goods to such an amount as to equal in value their importation of opium, so that they need not have any occasion for exporting money? Their answer was of the following tenor: "That it is right and proper that they should comply with the arrangement to take cargo in exchange for the proceeds of their opium; but that the ports to which they return are not all alike, and that our native commodities are not every where equally saleable; that were the merchants who bring opium to Canton to make their returns in merchandize purchased here, such merchandize would be unsaleable,—and therefore the arrangement that goods are to be taken in return for opium cannot be universally adopted; that, however, they can in such cases lend their money to other foreigners to purchase cargoes with, which will be the same thing as if the foreign merchants who import opium applied all the proceeds to the purchase of goods themselves; lastly, that, in case they should be unable to lend out the whole of the proceeds, they are willing to act in accordance with the regulation hitherto existing, by which they are allowed to export in foreign money three-tenths of the excess of imports over exports; but that to require each several ship to take export cargo in exchange for imports will, they really apprehend, be found inapplicable, injurious, and impracticable; on which account they deem it their duty to request that the regulation heretofore existing, as above-mentioned, may continue in full force." We, the Hong merchants, would here suggest, that, although there be no duty charged on exported silver, yet as it is required to report at the Custom-House the sums shipped, it will be impossible that any very considerable amount should be clandestinely exported. Whether such an arrangement in regard to the importation of opium, the grand question now under consideration, shall be adopted or not, must depend on your Excellencies' decision. It

But that, as shown by themselves, they cannot always do so.

The present regulations are sufficient.

* That is, 30 per cent. of the excess of the value of the imports over that of the exports.

It is shown also, that no one merchant need be made responsible.

It has been for a long time past the rule, when a vessel reaches Canton, to permit the foreigner himself to select the Hong merchant who shall secure his vessel: this is left entirely to the will of the foreigner, and no compulsion may be exercised in the matter. All goods that are to be entered at the Custom-House for examination and assessment, are so entered by the security merchant, on application made by the foreigner; and the charges on the vessel, on entering the port and when discharging cargo, are also paid by the security merchant. But any of the Hong merchants may have a portion of the cargo, and it is the rule, that the merchant who so receives cargo shall pay all the duties thereon into the treasury of the Custom-House. In this way, there can be no monopolizing. Should opium be admitted for importation in the same manner as piece-goods, cotton, &c., the arrangements in regard to the sale of it by Hong merchants to minor dealers, and the transport of it from Canton to other places, should also be the same as with regard to those commodities. Such as is transported to other provinces by an overland route should be entered at the eastern and western Custom-Houses, where a pass should be obtainable on examination. And such as is transported by sea on board native trading vessels should be entered outwards, at the chief Custom-House, through the medium of the merchants of Fuhkeen and Chauchow. The laws on these points being very precise, it seems needless to report each separate transaction of sale, or to present any monthly statements.

And that no periodical statements are necessary to prevent illegalities.

4. Transit of opium, and coasting trade in it.

Fourthly. We received directions to deliberate carefully on this question: "When opium is transported to other provinces for sale, should not those precautionary regulations which have been enacted in regard to foreigners trading at Canton be put in practice, and communications be sent to the authorities in all the sea-board provinces, informing them, that whatever opium has not the stamp of the Custom-House on it is to be regarded as smuggled, and both vessel and cargo therefore confiscated, and the parties subjected to legal investigation? And, if any vessels proceed to the receiving ships, which are anchored on the high seas, to trade with them, should not the Hong merchants be required to take measures against their so doing?"

The regulations already existing, in regard to cotton, woollens, &c., imported, should be enforced.

In reply, we would humbly point out, that in the regulations enacted last year for checking foreigners engaged in trade, there occurs the following passage: "In respect to all native trading vessels, from whatever province they may be, any foreign goods that may be purchased for shipment on them shall be entered at the chief Custom-House at Canton, and there, having been stamped, a pass for the same shall be granted, specifying in detail the amount of goods, in order that no clandestine transactions may be suffered to take place. And communications shall be sent to the authorities in all the provinces, that they may act in compliance with this regulation, and may give orders accordingly to the officers of the maritime Custom-Houses, to examine all trading vessels carrying cargoes of foreign merchandize, and, if they find any articles not marked with the stamp of the Canton Custom-House, to regard such articles as smuggled, and to subject the parties to a legal investigation and confiscation of both vessel and cargo." These precautionary measures are sufficiently precise, and should undoubtedly be acted on. But should any vessel, in the course of passage on the high seas, happen to traffic with the receiving ships, it is indeed beyond our power to prevent it. It behoves us therefore to request, that, as enacted in the above-named regulation, the officers of all cruising vessels along the coast be held responsible; that they be directed to cruise about in constant succession; and, should any traders approach a foreign ship to purchase opium immediately to apprehend such traders, and send them to meet their trial; and, lastly, that both the vessel and cargo of such traders shall be confiscated, and the proceeds thereof given as a reward to the capturers. We would also humbly request, that an edict be issued for the information of all native merchants, that they may know these things and be restrained by fear. At the same time we will continue earnestly to instruct and admonish the foreigners, and make them understand that they must indeed bring their goods into port, and pay duty thereon, and must not, as heretofore, clandestinely sell them on the high seas. Thus may the amount of duties be increased.

Inclesure 4 in No. 90.

Report of the Governor and Lieutenant-Governor of Canton.

September 7, 1836.

Preamble.

WE have, in obedience to the Imperial Will, jointly deliberated on the subject of repealing the prohibition now in force in regard to the importation of opium, and of permitting it to be sold in barter for other commodities; and we herein present a draft of regulations that we have sketched, comprising nine sections, on which we humbly solicit your sacred Majesty to cast a glance.

On the 19th day of the 5th month (2nd July), we received a letter from the Grand Council of Ministers, inclosing an Imperial edict, dated the 29th day of the 4th month (12th of June).

Beholding our august Sovereign's tender solicitude for the livelihood of the people on this remote frontier, and the anxious desire manifested to remove all evils, we, as on bended knee we perused the edict, were deeply affected, and bowed in profound reverence. We immediately transmitted the edict to the Superintendent of maritime customs, your Majesty's Minister Wan; and also read in Council the copy forwarded to us of the original memorial. While we ourselves gave the subject our joint and careful consideration, we, at the same time, directed the two Commissioners (of Finance and Justice) to discuss it thoroughly and faithfully. These officers, the Financial Commissioner, Altsingah, and the Judicial Commissioner, Wang Tsingleen, have now laid before us the result of their joint deliberations, and we have considered their suggestions.

Principle laid down.

We are humbly of opinion, that in framing regulations it is of the first importance to suit them to the circumstances of the times; and that to govern well, it is essential in the first place to remove existing evils. But if in removing one evil, an evil of greater extent is produced, it then becomes the more imperative to make a speedy change suited to the circumstances of the occasion.

Arguments. Evils arising out of the prohibition of opium.

Now in regard to opium, it is an article brought into the Central Empire from the lands of the far-distant barbarians, and has been imported during a long course of years. In the reigns of Yungching and Keenlung, it was included in the tariff of maritime duties, under the head of medicinal drugs, and there was then no regulation against purchasing it, or inhaling it. But in the 4th year of Keaking (1799), the then Governor of this province, Keihking, of the imperial kindred, regarding it as a subject of deep regret, that the vile dirt of foreign countries should be received in exchange for the commodities and the money of the empire, and fearing lest the practice of smoking opium should spread among all the people of the inner land, to the waste of their time and the destruction of their property, presented a memorial, requesting that the sale of the drug should be prohibited, and that offenders should be made amenable to punishment. This punishment has been gradually increased to transportation, and death by strangling. The law is by no means deficient in severity But the people are not so much influenced by the fear of the laws as by the desire of gain. Hence, from the time that the prohibition was passed, the crafty schemes and devices of evil men have daily multiplied. On the one hand, receiving ships are anchored in the entrances from the outer seas: on the other hand, brokers, called melters, are everywhere established in the inner land. Then again 'fast crabs' and 'scrambling dragons'—as the boats are called—are fitted out for clandestine commerce: and lastly, vagabonds, pretending authority to search, have under this pretext indulged their own unruly desires. Thus, what was at first a common article, of no esteem in the market, either for smoking or eating, and also of a moderate price, has with the increase in the severity of the regulations increased in demand, and been clandestinely and largely imported, annually drawing away from the pecuniary resources of the inner land, while it has done nothing to enrich it.

The prohibition should therefore be removed.

We, your Majesty's Ministers, having examined the original memorial, and considered the details therein contained respecting the evils to be removed, regard the whole as true and accurate. The request for a repeal of the prohibitions and change in the system, and a return to the former plan of laying a duty on opium, is also such as the circumstances of the times render necessary;

and it is our duty to solicit your Majesty's sanction thereof. In case of such sanction, any foreigner, who in the course of trade may bring opium, must be permitted to import it and pass it at the Custom-House, paying the duty on it as fixed by the maritime tariff of Keenlung, and must deliver it to the Hong merchants in the same manner as long ells, camlets, and other goods, bartered for native commodities, but on no account may he sell it clandestinely for money.

Effects to be expected from such a change.

If this plan be faithfully and vigorously carried into effect, the tens of millions of precious money which now annually go out of the Empire will be saved, the source of the stream will be purified, and the stream itself may be eventually stayed. The amount of duties being less onerous than what is now paid in bribes, transgressions of the revenue laws will cease of themselres; the present evil practices of transporting contraband goods by deceit and violence will be suppressed without effort; the numberless quarrels and litigations now arising therefrom at Canton, together with the crimes of worthless vagrants will be diminished. Moreover, if the Governmental officers, the literari, and the military, be still restrained by regulations, and not suffered to inhale the drug; and if offenders among these classes be immediately dismissed from the public service; while those of the people who purchase the drug and smoke it, are not at all interfered with, all will plainly see that those who indulge their depraved appetites are the victims of their own self-sacrificing folly, persons who are incapable of ranking among the capped and belted men of distinction and learning. And if in this way shame be once aroused, strenuous exertion and self-improvement will be the result,—for the principles of reform are founded in shame and remorse. Nor, as it is truly said in the original memorial, will the dignity of Government be at all lowered by the proposed measure. Should your Majesty sanction the repeal, it will in truth be attended with advantage both to the arrangements of the Government and the well-being of the people.

Nine regulations proposed.

But in passing regulations on the subject, it is of great importance that everything should be maturely considered, and that the law should be rendered perfect and complete; and it is of the very first consequence that effectual measures should be taken to prevent the exportation of sycee silver. If the regulation be in any way incomplete, the consequence will be, that in a few years, fresh evils will spring up and spread abroad: such is not the right way to accomplish the purpose in view. We have, therefore, fully discussed the subject together, and have also, in concert with the Financial and Judicial Commissioners, examined and considered it in all its bearings, and after oft-repeated deliberations, have determined upon nine regulations, which we have drawn up, and of which we present a fair copy for your Majesty's perusal. The result of our deliberations, made in obedience to the Imperial mandate, we now jointly lay before the throne, humbly imploring our august Sovereign to instruct us if our representations be correct or not, and also to direct the appropriate Board to revise them.

The following are the regulations which we have drawn up in reference to the change of system called for in regard to the importation of opium, and which we reverently present for your Majesty's perusal.

1. Opium to be sold only in barter for merchandize.

1. The whole amount of opium imported should be paid for in merchandize: in this there must be no deception. The object in repealing the interdict on opium, is to prevent the loss of specie occasioned by the sale of the drug for money. When opium is brought in foreign vessels, therefore, the security and senior merchants should be held responsible for the following arrangements being carried into effect: the value of the opium to be correctly fixed; an amount of native commodities of equal value to be apportioned; and the two amounts to be exchanged in full: no purchase to be made for money payments, The productions of the Celestial Empire are rich, abundant, and in universal demand; its commodities are manifold more than those of foreign barbarians, so that in an exchange of commodities the gain and not the loss must be on its side. But should it at any time perchance occur, that the quantities imported being somewhat greater than the amount of native commodities required, an exact balance cannot be struck, while it is necessary for the foreign ships immediately to return; in such case, the whole amount of duties having been paid through the security merchant, and the barter of commodities having been made, the surplus opium not yet bartered may be laid up in the merchants' warehouses, and an account of it, taken under the inspection both

both of the security and foreign merchant, may be registered in the office of the Superintendent of Customs. Then the opium may be sold as opportunities occur; and when the whole has been disposed of, the Hong merchant and the consignee of the opium may jointly report that it is so, and have the register cancelled. When the foreign merchant returns to Canton, he may receive payment for the opium thus sold, in some merchantable commodity; but may not be allowed to give the value a pecuniary designation, and under cover of this receive payment in money. Some substantial and opulent senior merchant should be strictly required to watch over the enforcement of these regulations. And when a foreign ship is about leaving, the security and senior merchants should sign a bond that she carries away no sycee silver on board of her, this bond to be delivered into the hands of Government. If they know of any clandestine purchases being made on condition of money payments, or of any money being paid, they should be required immediately to report the facts, and the parties should be severely punished, and the opium confiscated and sold for Government; or, if it have been already delivered to the purchaser, the price should be recovered from the latter, and forfeited to Government. If the senior and security merchants be found guilty of any connivance at such offences, they also should be severely punished.

2. Naval officers to be restricted.

2. The naval cruising vessels, and all the officers and men of the Custom-House stations, should be required diligently to watch the entrances and passages of rivers; but, at the same time, to confine their search to such entrances and passages; they should not be allowed to go out to sea-ward, and under cover thereof to cause annoyance. Even though the interdict on opium be repealed, there is yet cause to fear that the mercantile people, who in their mad search for gain are, as it were, bewitched, will still resort to foreign merchants (out of the port) to purchase it, so that sycee silver will continue secretly to ooze out. The naval cruising vessels, therefore, and all those who are attached to the Custom-House stations, should be required to search diligently and faithfully. And whenever any discovery shall be made of silver being smuggled out, and the same shall be seized, and the offending parties apprehended,—then the whole amount of money in such case taken, with the value of the smuggling boat, should be given as a reward to the captors, in order to encourage their exertions, and thus to destroy smuggling. But if sycee silver be exported, there is necessarily a place where, and a way by which, it is carried out: that place must be near the foreign factories; the way must be through the important passages and entrances of rivers. It is only needful then to watch faithfully at such places; for by so doing the export of silver may be stopped without any trouble. But if the smugglers once get out into the open roads, they soon spread themselves abroad in various directions, and leave no trace by which to find them. If the soldiers, or vagabonds feigning to be soldiers, frame pretexts for cruising about in search of them, not only can they effect no good, but they may also give occasion to disturbances, attended with evil consequences of no trivial character. They should, therefore, be strictly prohibited so doing.

3. Amount of specie to be exported.

3. In regard to foreign money, the old regulation, allowing three-tenths to be exported, should be continued; and, to prevent any fraud, a true account of the money imported should be given (by each ship) on arrival. Formerly, much foreign money was brought to Canton in the foreign ships, in order to purchase commodities in excess of those obtained by barter, and to pay the necessary expenses of the vessel on her return. Whenever the imported goods were in larger quantity than those exported, there was then a surplus of foreign money, of which it would not have been reasonable, under such circumstances, to prohibit the re-exportation. In the 23d year of Keaking (1818), the then Superintendent of Maritime Customs, Ah, finding that the barbarians took away foreign money without any limit or restriction, addressed a communication to the then Governor of this province, Yuen, in consequence of which it was decided to limit the exportation by each vessel to three-tenths (of the surplus of import), allowing the remainder to be lent to any other foreigner to enable him to purchase goods, to pay the duties, &c. This has continued to be the rule down to the present time. Now it is probable, that sometimes, when opium is imported in not very large quantities, money will also be imported with it, for the purpose of paying the price of goods in excess of what may be purchased by barter. It will be right in such cases to conform to the existing regulation.

But the amount of foreign money so imported in foreign ships may vary considerably. If the balance be 100,000 dollars or upwards, it will then be very well to permit the exportation of 30,000; but if the balance should exceed 200,000 dollars, a further limit to the permission to re-export becomes necessary. We deem it our duty therefore, to request, that hereafter when the surplus of silver imported, does not considerably exceed 100,000, permission be still given to re-export three-tenths of that surplus; but if it amounts to 200,000 dollars, whether the merchandize bought with it consist of opium, or of any other goods, that the permission to re-export in that case be limited to 50,000 on each ship. This amount should not be exceeded. With respect to the examination and report made by the security merchant, on a ship's arrival, of the total amount of silver imported by her, this examination and report should still be required, in order that, the expenditure of the vessel having been deducted therefrom, the proportion to be re-exported may be accurately calculated. A senior merchant also should be required faithfully to join the security merchant in the investigation. If the officers of the customs make feigned examinations and false reports, they should be subjected to severe punishment; and if the senior and other merchants connive at any illegality, they also should be punished.

4. Sale of opium, how to be regulated.

4. The traffic in opium must be conducted on the same principle as the traffic in foreign commodities; it is unnecessary to place it under a separate department. The first principle of commerce is, to adopt those measures which will yield the greatest possible amount of gain. Each one has his own method of doing this, and what one rejects another may seek for; nor is it possible to bring all to one opinion. Now if the importation of opium be permitted, as formerly, and it becomes an article of commerce, as a medicinal drug, the traffic in it will in nowise differ from the traffic in other articles of commerce; and if a special department be created for it, there is reason to fear that monopolizing and underhand practices will gradually result therefrom. It is right, therefore, to let the foreign merchants make their own election, and engage what Hong merchants they will to pass their cargoes at the Custom-house, and pay their duties for them. To establish one general department for the purpose is unnecessary. By this arrangement, crafty individuals may be prevented from taking advantage and extorting exorbitant profits, and benefit may accrue to both the foreign and the Hong merchants.

5. Duties to be levied.

5. The amount of duties should be continued the same as formerly: no increase is called for; and all extortionate demands, and illegal fees, should be interdicted. In the Tariff of Maritime Customs for Canton, opium is rated at a duty of three taels per hundred catties; to which we must add ten per cent. or three mace for loss in melting; and as peculage fee, and fee per package, according to the report formerly made of public and legal fees, eight candareens and six cash. Although there are three kinds of opium, the "black earth," the "white skinned," and the "red skinned," differing in value, yet the duty per catty may be the same on all. These arrangements are made on the principle that if the duty be heavy it will be evaded, and smuggling will ensue, whereas if it be light, all will prefer security to smuggling; and that if a fixed charge be imposed, the officers of the customs will be unable to intermeddle. The same clear views were entertained by our predecessors, when they established these regulations; and it will be well to conform to the amount of duty fixed by them without any addition. But there is reason to fear that when the prohibitions are first taken off, the servants of the Custom-House, hunting for petty gains, may, under various pretexts, lay on illegal fees, making heavy by their exactions what as a legal duty is light; and thereby losing sight of the principle that they are to show kindness to men from afar. If this take place, the natural result too will be, that the means of legal importation will be avoided, and contrivances to import clandestinely will be resorted to. Perspicuous and strict proclamations should therefore be issued, making it generally known, that, beyond the real duty, not the smallest fraction is to be exacted; and that offenders shall be answerable to the law against extortionate underlings receiving money under false pretexts.

6. A price not to be fixed.

6. No price shall be fixed on the drug. It is a settled principle of commerce, that when prices are very low, there is a tendency to rise; and when high, a tendency to fall. Prices then depend on the supply that is procurable of any article, and the demand that exists for it in the market; they cannot be limited by enactments to any fixed rate. Now, though the prohibition of opium be

be repealed, it will not be a possible thing to force men who buy at a high price to sell at a cheap one. Besides, it is common to men to prize things of high value, and to underrate those of less worth. When, therefore, opium was severely interdicted, and classed among rarities, every one had an opportunity to indulge in over-reaching desires of gain; but when once the interdicts are withdrawn, and opium universally admitted, it will become a common medicinal drug, easily to be obtained.

> The gem,—when in the casket, prized,
> When common, is despised!

So the price of opium, if left to itself, will fall from day to day; whereas, if rated at a fixed value, great difficulty will be found in procuring it at the price at which it is rated. It is reasonable and right, therefore, to leave the price to fluctuate, according to the circumstances of the times, and not to fix any rate.

7. Regulations of the coasting trade.

7. All coasting vessels of every province, when carrying opium, should be required to have sealed manifests from the Custom-House of Canton. By the existing regulations of commerce, all commanders of coasting vessels, without exception, are required, whenever they have purchased any foreign goods, to apply at the chief Custom-House at Canton and obtain a sealed manifest, stating the amount of each kind of goods, so as to prevent any clandestine purchases. They are also to be provided from thence with a communication addressed to the authorities in every province and at all sea-ports, calling on them to search closely; and if they find any foreign goods, not having the stamp of the Canton Custom-House on them, to regard such goods as smuggled, to try the offenders according to law, and to confiscate both vessels and cargo. The law on this point is most precise. Now when the interdict on opium is repealed, it will become an article of ordinary traffic, like any other foreign commodity, and subject therefore to the same regulations. All commanders of coasting vessels, wishing to purchase opium, should therefore be required to report their wishes to the Hong merchants, bringing goods to barter for it, and should then apply at the Custom-House for a manifest and for a communication from the Superintendent of Customs to the authorities in all the provinces aforesaid. Thus there being documents for reference, both in this and the sea-board provinces, the native coasting vessels may be prevented from having any clandestine dealings with the foreign ships at sea, and from smuggling away silver.

8. The poppy may be cultivated.

8. The strict prohibitions existing against the cultivation of the poppy, among the people, may be in some measure relaxed. Opium possesses soothing properties, but is powerful in its effects. Its soothing properties render it a luxury, greatly esteemed; but its powerful effects are such as readily to induce disease. The accounts given of the manner in which it is prepared among the foreigners are various; but in all probability it is not unmixed with things of poisonous quality. It is said that, of late years, it has been clandestinely prepared by natives, by boiling down the juicy matter from the poppy; and that thus prepared, it possesses milder properties, and is less injurious, without losing its soothing influence. To shut out the importation of it by foreigners, there is no better plan than to sanction the cultivation and preparation of it in the empire. It would seem right, therefore, to relax, in some measure, the existing severe prohibitions, and to dispense with the close scrutiny now called for to hinder its cultivation. If it be apprehended, that the simple people may leave the stem and stay of life to amuse themselves with the twigs and branches, thereby injuring the interests of agriculture, it is only necessary to issue perspicuous orders, requiring them to confine the cultivation of the poppy to the tops of hills and mounds, and other unoccupied spots of ground, and on no account to introduce it into their grain-fields, to the injury of that on which their subsistence depends.

9. Officers not to smoke opium.

9. All officers, scholars, and soldiers should be strictly prohibited and disallowed the smoking of opium. We find in the original memorial of Heu-Naetse, the Vice-President of the Sacrificial Court, the following observations: "It will be found on examination, that the smokers of opium are idle, lazy vagrants, having no useful purpose before them. And though some smokers are to be found who have overstepped the threshold of age, yet they do not attain to the long life of other men. But new births daily increase the population of the empire, and there is no cause to apprehend a diminution therein. With regard to officers, civil and military, and to the scholars and common

soldiers, the first are called on to fulfil the duties of their rank and attend to the public good; the others, to cultivate their talents and become fit for public usefulness. None of them, therefore, should be permitted to contract a practice so bad, or to walk in a path which will only lead to the utter waste of their time and destruction of their property." If the laws be rendered over strict, then offenders, in order to escape the penalty, will be tempted to screen one another. This, assuredly, is not then so good a plan as to relax the prohibitions, and act upon men's feeling of shame and self-condemnation. In the latter case, gradual reformation may be expected as the result of conviction. Hence the original memorial also alludes to a reformation noiselessly effected. The suggestions therein contained are worthy of regard and of adoption. Hereafter no attention shall be paid to the purchase and use of opium among the people. But if officers, civil or military, scholars, or common soldiers, secretly purchase and smoke the drug, they should be immediately degraded and dismissed, as standing warnings to all who will not arouse and renovate themselves. Orders to this effect should be promulgated in all the provinces, and strictly enjoined in every civil and military office, by the superiors on their subordinates, to be faithfully obeyed by every one. And all who, paying apparent obedience, secretly transgress this interdict, should be delivered over by the high provincial authorities to the Civil or Military Board, to be subjected to severe investigation.

Inclosure 5 in No. 90.

Memorial from the Councillor Choo-Tsun to the Emperor, against the admission of Opium.

October, 1836.

Preamble.

CHOO-TSUN, Member of the Council and of the Board of Rites, kneeling, presents the following memorial, wherein he suggests the propriety of increasing the severity of certain prohibitory enactments, with a view to maintain the dignity of the laws, and to remove a great evil from among the people: to this end he respectfully states his views on the subject, and earnestly entreats His Sacred Majesty to cast a glance thereon.

Progress of the trade in opium.

I would humbly point out, that wherever an evil exists, it should be at once removed, and that the laws should never be suffered to fall into desuetude. Our Government having received from Heaven the gift of peace, has transmitted it for two centuries: this has afforded opportunity for the removal of evils from among the people. For governing the Central nation, and for holding in submission all the surrounding barbarians, rules exist perfect in their nature, and well fitted to attain their end. And in regard to opium, special enactments were passed for the prohibition of its use in the first year of Keaking (1796); and since then, memorials presented at various successive periods, have given rise to additional prohibitions, all which have been inserted in the code and the several tariffs. The laws, then, relating thereto are not wanting in severity; but there are those in office who, for want of energy, fail to carry them into execution. Hence the people's minds gradually become callous; and base desires springing up among them, increase day by day, and month by month, till their rank luxuriance has spread over the whole empire. These noisome weeds having been long neglected, it has become impossible to eradicate; and those to whom this duty is intrusted are, as if hand-bound, wholly at a loss what to do.

Mode of carrying it on.

When the foreign ships convey opium to the coast, it is impossible for them to sell it by retail. Hence there are at Canton, in the provincial city, brokers, named 'melters.' These engage money-changers to arrange the price with the foreigners, and to obtain orders for them; with which orders they proceed to the receiving ships, and there the vile drug is delivered to them. This part of the transaction is notorious, and the actors in it are easily discoverable. The boats which carry the drug, and which are called "fast-crabs," and "scrambling-dragons," are all well furnished with guns and other weapons, and ply their oars as swiftly as though they were wings. Their crews have all the overbearing assumption and audacity of pirates. Shall such men be suffered to navigate the surrounding seas according to their own will? And shall such conduct be passed over without investigation?

The

The late Governor Loo having on one occasion sent the Commodore Tsin Yuchang to co-operate with Teen Poo, the magistrate of Heangshan, those officers seized a vessel belonging to Leang Heennee, which was carrying opium, and out of her they took 14,000 catties of the drug. Punishment also was inflicted on the criminals Yaoukew and Owkwan, both of them opium-brokers. Hence it is apparent, that, if the great officers in charge of the provinces do in truth show an example to their civil and military subordinates, and if these do in sincerity search for the drug, and faithfully seize it when found, apprehending the most criminal, and inflicting upon them severe punishment, it is, in this case, not impossible to attain the desired end. And if the officers are indeed active and strenuous in their exertions, and make a point of inflicting punishment on offenders, will the people, however perverse and obstinate they may be, really continue fearless of the laws? No. The thing to be lamented is, instability in maintaining the laws—the vigorous execution thereof being often and suddenly exchanged for indolent laxity.

Possibility of preventing it.

It has been represented, that advantage is taken of the laws against opium, by extortionate underlings and worthless vagrants, to benefit themselves. Is it not known, then, that where the Government enacts a law there is necessarily an infraction of that law? And though the law should sometimes be relaxed and become ineffectual, yet surely it should not on that account be abolished; any more than we would altogether cease to eat because of diseased stoppage of the throat. When have not prostitution, gambling, treason, robbery, and such like infractions of the laws, afforded occasions for extortionate underlings and worthless vagrants to benefit themselves, and by falsehood and bribery to amass wealth? Of these there have been frequent instances; and as any instance is discovered, punishment is inflicted. But none surely would contend that the law, because in such instances rendered ineffectual, should therefore be abrogated! The laws that forbid the people to do wrong may be likened to the dykes which prevent the overflowing of water. If any one, then, urging that the dykes are very old, and therefore useless, should have them thrown down, what words could express the consequences of the impetuous rush and all-destroying overflow! Yet the provincials, when discussing the subject of opium, being perplexed and bewildered by it, think that a prohibition which does not *utterly* prohibit, is better than one which does not effectually prevent, the importation of the drug. Day and night I have meditated on this, and can in truth see no wisdom in the opinion.

Occasional abuse of the laws, no argument against them.

It is said that the opium should be admitted, subject to a duty, the importers being required to give it into the hands of the Hong merchants, in barter only for merchandize, without being allowed to sell it for money. And this is proposed as a means of preventing money secretly oozing out of the country. But the English, by whom opium is sold, have been driven out to Lintin so long since as the first year of Taoukwang (1821), when the then Governor of Kwangtung and Kwangse discovered and punished the warehousers of opium; so long have they been expelled, nor have they ever since imported it into Macao. Having once suppressed the trade and driven them away, shall we now again call upon them and invite them to return? This would be, indeed, a derogation from the true dignity of Government. As to the proposition to give tea in exchange, and entirely to prohibit the exportation of even *foreign* silver, I apprehend that, if the tea should not be found sufficient, money will still be given in exchange for the drug. Besides, if it is in our power to prevent the exportation of dollars, why not also to prevent the importation of opium? And if we can but prevent the importation of opium, the exportation of dollars will then cease of itself, and the two offences will both at once be stopped. Moreover, is it not better, by continuing the old enactments, to find even a partial remedy for the evil, than by a change of the laws to increase the importation still further? As to levying the duty on opium, the thing sounds so awkwardly, and reads so unbeseemingly, that such a duty ought surely not to be levied.

Impropriety of sanctioning the trade by levying a duty.

Again, it is said that the prohibitions against the planting of the poppy by natives should be relaxed; and that the direct consequences will be daily diminution of the profits of foreigners, and in course of time, the entire cessation of the trade without the aid of prohibitions. Is it, then, forgotten that it is natural to the common people to prize things heard of only by the ear, and to undervalue those which are before their eyes,—to pass by those things

Impolicy of sanctioning the growth of the poppy. The importation of opium not stopped by it.

which are near at hand, and to seek after those which are afar off,—and, though they have a thing in their own land, yet to esteem more highly such as comes to them from beyond the seas? Thus, in Keangsoo, Chekeang, Fuhkeen, and Kwangtung, they will not quietly be guided by the laws of the Empire, but must needs make use of foreign money: and this foreign money, though of an inferior standard, is nevertheless exchanged by them at a higher rate than the native sycee silver, which is pure. And although money is cast in China after exactly the same pattern, under the names of Keangsoo pieces, Fuhkeen pieces, and native or Canton pieces, yet this money has not been able to gain currency among the people. Thus, also, the silk and cotton goods of China are not sufficient in quantity; and yet the broadcloths, and camlets, and cotton goods, of the barbarians from beyond the pale of the Empire are in constant request. Taking men generally, the minds of all are equally unenlightened in this respect, so that all men prize what is strange, and undervalue whatever is in ordinary use.

The outgoing of money not hindered thereby.

From Fuhkeen, Kwangtung, Chekeang, Shantung, Yunnan, and Kweichow, memorials have been presented by the Censors and other officers, requesting that prohibitions should be enacted against the cultivation of the poppy, and against the preparation of opium; but while nominally prohibited, the cultivation of it has not been really stopped in those places. Of any of those provinces, except Yunnan, I do not presume to speak; but of that portion of the country I have it in my power to say, that the poppy is cultivated all over the hills and the open campaign, and that the quantity of opium annually produced there cannot be less than several thousand chests. And yet we do not see any diminution in the quantity of silver exported, as compared with any previous period; while, on the other hand, the lack of the metal in Yunnan is double in degree what it formerly was. To what cause is this to be ascribed? To what but that the consumers of the drug are very many, and that those who are choice and dainty, with regard to its quality, prefer always the foreign article?

And the cultivation of grain, &c., will be injured by it.

Those of your Majesty's advisers who compare the drug to the dried leaf of the tobacco plant are in error. The tobacco leaf does not destroy the human constitution. The profit too arising from the sale of tobacco is small, while that arising from opium is large. Besides, tobacco may be cultivated on bare and barren ground, while the poppy needs a rich and fertile soil. If all the rich and fertile ground be used for planting the poppy, and if the people, hoping for a large profit therefrom, madly engage in its cultivation, where will flax and the mulberry tree be cultivated, or wheat and rye be planted? To draw off in this way the waters of the great fountain, requisite for the production of food and raiment, and to lavish them upon the root whence calamity and disaster spring forth, is an error which may be compared to that of a physician, who, when treating a mere external disease, should drive it inwards to the heart and centre of the body. It may in such a case be found impossible even to preserve *life*. And shall the fine fields of Kwangtung, that produce their three crops every year, be given up for the cultivation of this noxious weed,—those fields in comparison with which the unequal soil of all other parts of the Empire is not even to be mentioned?

The corruption and enervation of the people, are the chief objections against opium.

To sum up the matter, the wide-spreading and baneful influence of opium, when regarded simply as injurious to property, is of inferior importance; but when regarded as hurtful to the people, it demands most anxious consideration: for in the *people* lies the very foundation of the empire. Property, it is true, is that on which the subsistence of the people depends. Yet a deficiency of it may be supplied, and an impoverished people improved; whereas it is beyond the power of any artificial means to save a people enervated by luxury. In the history of Formosa we find the following passage: "Opium was first produced in Kaoutsinne, which by some is said to be the same as Kalapa (or Batavia). The natives of this place were at the first sprightly and active, and being good soldiers, were always successful in battle. But the people called Hung-maou (Red-haired) came thither, and having mannfactured opium, seduced some of the natives into the habit of smoking it; from these the mania for it rapidly spread throughout the whole nation; so that in process of time, the natives became feeble and enervated, submitted to the foreign rule, and ultimately were completely subjugated." Now the English are of the race of foreigners called Hung-maou. In introducing opium into this country, their purpose has been

And this is the object of its importers.

to

to weaken and enfeeble the Central Empire. If not early aroused to a sense of our danger, we shall find ourselves, ere long, on the last step towards ruin.

The repeated instances, within a few years, of the barbarians in question having assumed an attitude of outrageous disobedience; and the stealthy entrance of their ships into the provinces of Fuhkeen, Chekeang, Keangnan, and Shantung, and even to Teentsin,—to what motive are these to be attributed? I am truly unable to answer the inquiry. But, reverently perusing the sacred instructions of your Majesty's all-wise progenitor, surnamed the Benevolent [Kanghe], I find the following remark by him, dated the 10th month of the 55th year of his reign (1717):—"There is cause for apprehension, lest, in centuries or millenniums to come, China may be endangered by collision with the various nations of the West, who come hither from beyond the seas." I look upwards and admiringly contemplate the gracious consideration of that all-wise progenitor, in taking thought for the concerns of barbarians beyond the empire, and giving the distant future a place in his divine and all-pervading foresight. And now, within a period of two centuries, we actually see the commencement of that danger which he apprehended. Though it is not practicable to put a sudden and entire stop to their commercial intercourse; yet the danger should be duly considered and provided against; the ports of the several provinces should be guarded with all strictness; and some chastisement should be administered, as a warning and foretaste of what may be anticipated.

Policy to be adopted towards them.

Under date of the 23rd year of Keaking (1818), your Majesty's benevolent predecessor, surnamed the Profound, directing the Governor of Canton to adopt measures to control and restrain the barbarians, addressed him in the following terms: "The empire, in ruling and restraining the barbarians beyond its boundaries, gives to them always fixed rules and regulations. Upon those who are obedient, it lavishes its rich favours; but to the rebellious and disobedient it displays its terrors. Respecting the English trade at Canton, and the anchorage grounds of their merchant-ships and of their naval convoys, regulations have long since been made. If the people aforesaid, will not obey these regulations, and will persist in opposition to the prohibitory enactments, the first step to be taken is, to impress earnestly upon them the plain commands of Government, and to display before them alike both the favours and the terrors of the empire, in order to eradicate from their minds all their covetous and ambitious schemes. If, notwithstanding, they dare to continue in violent and outrageous opposition, and presume to pass over the allotted bounds, forbearance must then cease, and a thundering fire from our cannon must be opened upon them, to make them quake before the terror of our arms. In short, the principle on which the 'far-travelled strangers are to be cherished' is this: always, in the first instance, to employ reason as the weapon whereby to conquer them; and on no account to assume a violent and vehement deportment towards them; but when ultimately it becomes necessary to resort to military force, then, on the other hand, never to employ it in a weak and indecisive manner, lest those towards whom it is exercised should see therein no cause for fear or dread." How clear and luminous are those admonitions, well fitted to become a rule to all generations!

Ruin caused in the army by opium.

Since your Majesty's accession to the throne, the maxim of your illustrious house, that 'horsemanship and archery are the foundations of its existence,' has ever been carefully remembered. And hence the Governors, the Lieutenant-Governors, the Commanders of their Forces, and their subordinates, have again and again been directed to pay the strictest attention to the discipline and exercise of the troops, and of the naval forces; and have been urged and required to create by their exertions strong and powerful legions. With admiration I contemplate my sacred Sovereign's anxious care for imparting a military as well as a civil education, prompted as this anxiety is by the desire to establish on a firm basis the foundations of the empire, and to hold in awe the barbarians on every side. But while the stream of importation of opium is not turned aside, it is impossible to attain any certainty that none within the camp do ever secretly inhale the drug. And if the camp be once contaminated by it, the baneful influence will work its way, and the habit will be contracted beyond the power of reform. When the periodical times of desire for it come round, how can the victims—their legs tottering, their hands trembling, their eyes flowing with child-like tears—be able in any way to attend to their proper exercises? Or how can such men form strong and powerful legions? Under these circum-

stances, the military will become alike unfit to advance to the fight, or in a retreat to defend their posts. Of this there is clear proof in the instance of the campaign against the Yaou rebels, in the 12th year of our Sovereign's reign (1832). In the army sent to Leenchow, on that occasion, great numbers of the soldiers were opium-smokers; so that although their numerical force was large, there was hardly any strength to be found among them.

Impossibility of stopping this, except by utter prohibition.

It is said, indeed, that when repealing the prohibitions, the people only are to be allowed to deal in and smoke the drug; and that none of the officers, the scholars, and the military, are to be allowed this liberty. But this is bad casuistry. It is equal to the popular proverb, "shut a woman's ears before you steal her ear-rings"—an absurdity. The officers, with all the scholars and the military, do not amount in number to more than one-tenth of the whole population of the empire; and the other nine-tenths are all the common people. The great majority of those who at present smoke opium are the relatives and dependents of the officers of Government, whose example has extended the practice to the mercantile classes, and has gradually contaminated the inferior officers, the military, and the scholars. Those who do not smoke are the common people of the villages and hamlets. If, then, the officers, the scholars, and the military alone, be prohibited smoking opium, while all the people are permitted to deal in and smoke it, this will be to give a full license to those of the people who already indulge in it, and to *induce* those who have never yet indulged in the habit to do so. And if it is even now to be feared that some will continue smokers in spite of all prohibitions, is it to be hoped that any will refrain when they are actually induced by the Government to indulge in it?

Besides, if the people be at liberty to smoke opium, how shall the officers, the scholars, and the military be prevented? What! of the officers, the scholars, and the military, are there any that are born in civil or military situations, or that are born scholars, or soldiers? All certainly are raised up from the level of the common people. To take an instance: let a vacancy occur in a body of soldiers; it must necessarily be filled up by recruits from among the people. But the great majority of recruits are men of no character or respectability, and if, while they were among the common people they were smokers of opium, by what bands of law shall they be restrained when they become soldiers, after the habit has been already contracted, and has so taken hold of them that it is beyond their power to break it off? Such a policy was that referred to by Mencius, when he spoke of "entrapping the people." And if the officers, the scholars, and the military, smoke the drug in the quiet of their own families, by what means is this to be discovered or prevented? Should an officer be unable to restrain himself, shall then his clerks, his followers, his domestic servants, have it in their power to make his failing their play-thing, and by the knowledge of his secret to hold his situation at their disposal? We dread falsehood and bribery, and yet we would thus widen the door to admit them. We are anxious to prevent the amassing of wealth by unlawful means, and yet by this policy we would ourselves increase opportunities for doing so. A father, in such a case, would no longer be able to reprove his son, an elder brother to restrain his junior, nor a master to rule his own household. Will not this policy, then, be every way calculated to stir up strife? Or if happily the thing should not run to this extreme, the consequences will yet be equally bad: secret enticement and mutual connivance will ensue, until the very commonness of the practice shall render it no longer a subject of surprise. From this I conclude, that to permit the *people* to deal in the drug and smoke it, at the same time that the officers, the scholars, and the military are to be prohibited the use of it, will be found to be fraught with difficulties.

Present state of morals among the people at the lowest ebb.

At the present moment, throughout the empire, the minds of men are in imminent danger; the more foolish, being seduced by teachers of false doctrines, are sunk in vain superstitions and cannot be aroused; and the more intelligent, being intoxicated by opium, are carried away as by a whirlpool, and are beyond recovery. Most thoughtfully have I sought for some plan by which to arouse and awaken all, but in vain. While, however, the empire preserves and maintains its laws, the plain and honest rustic will see what he has to fear, and will be deterred from evil; and the man of intelligence and cultivated habits will learn what is wrong in himself, and will refrain from it. And thus, though the laws be declared by some to be but waste paper, yet these

these their unseen effects will be of no trifling nature. If, on the other hand, the prohibitions be suddenly repealed, and the action which was a crime be no longer counted such by the Government, how shall the dull clown and the mean among the people know that the action is still in itself wrong? In open day, and with unblushing front, they will continue to use opium till they shall become so accustomed to it, that eventually they will find it as indispensable as their daily meat and drink, and will inhale the noxious drug with perfect indifference. When shame shall thus be entirely destroyed, and fear removed wholly out of the way, the evil consequences that will result to morality and to the minds of men, will assuredly be neither few nor unimportant. As your Majesty's Minister, I know that the laws of the empire, being in their existing state well fitted to effect their end, will not for any slight cause be changed. But the proposal to alter the law on this subject having been made and discussed in the provinces, the instant effect has been, that crafty thieves and villains have on all hands begun to raise their heads and open their eyes, gazing about, and pointing the finger, under the notion that, when once these prohibitions are repealed, thenceforth and for ever they may regard themselves free from every restraint, and from every cause of fear.

Conclusion. Measures recommended.

Though possessing very poor abilities, I have nevertheless had the happiness to enjoy the favour of your sacred Majesty, and have, within a space of but few years, been raised through the several grades of the Censorate, and the Presidency of various courts in the metropolis, to the high elevation of a seat in the Inner Council. I have been copiously embued with the rich dew of favours; yet have been unable to offer the feeblest token of gratitude; but if there is aught within the compass of my knowledge, I dare not to pass it by unnoticed. I feel it my duty to request that your Majesty's commands may be proclaimed to the Governors and Lieutenant-Governors of all the provinces, requiring them to direct the local officers to redouble their efforts for the enforcement of the existing prohibition [against opium]; and to impress on every one, in the plainest and strictest manner, that all who are already contaminated by the vile habit must return and become new men,—that if any continue to walk in their former courses, strangers to repentance and to reformation, they shall assuredly be subjected to the full penalty of the law, and shall not meet with the least indulgence,—and that on any found guilty of storing up or selling opium to the amount of 1,000 catties or upwards, the most severe punishment shall be inflicted. Thus happily the minds of men may be impressed with fear, and the report thereof, spreading over the seas (among foreigners), may even there produce reformation. Submitting to my Sovereign my feeble and obscure views, I prostrate implore your sacred Majesty to cast a glance on this my respectful memorial.

Inclosure 6 in No. 90.

Memorial from the Sub-Censor, Heu-Kew, against the admission of Opium.

October, 1836.

Preamble.

HEU-KEW, Sub-Censor over the Military Department, kneeling, presents this memorial to point out the increasing craftiness exercised by foreigners from beyond the seas, in their pursuit of gain, and the daily diminution of the resources of the empire; on which subjects he respectfully offers his views, and requests that the Imperial pleasure may be declared to the Ministers of the Court, commanding them maturely to consider what means shall be adopted to stay the gradual efflux of money, and to enrich the national resources.

Present scarcity and increased value of silver.

Our dynasty has cherished and nurtured the people in peace and prosperity for two centuries. Within the four seas, wealth and opulence have reigned: and the Central Empire has been enabled from her own resources to supply her own necessities. Westward, to the new territory of Turkestan, and southward, to Yunnan and Kwangtung, there is not a place whither her merchants may not go; nor a spot where her treasures of silver do not circulate. In the reign of Keenlung the treasury was full and abounding, and even the cottage of the peasant enjoyed plenty. But whereas a tael of pure silver then always passed

for 1000 of the standard coin, an equal amount of fine silver now costs from 1400 to 1500 of the same coin. And this fine silver is daily lessening in quantity, and the price still rising from day to day, so that for want of it the officers of Government and the people are both alike crippled. Some, in discussing this subject, represent that the change arises from the daily multiplication of births, in consequence of which money is daily more distributed, so that every day renders it in a greater degree inadequate. They forget that, if distributed over China alone, it may after distribution be re-gathered. But the true cause why silver has of late daily diminished in quantity is, that, having been clandestinely carried out beyond the seas, it has been impossible to gather it in again from the places of its distribution.

True cause of this —its exportation.

Which is occasioned chiefly by the opium trade.

According to the information that I have obtained, the sale of opium is the chief medium through which money is drained off, and carried beyond the seas. In the first year of Keaking, the opium sold by foreigners in Kwangtung did not exceed a few hundred chests. The number has now increased to upwards of 20,000 chests. These include three distinct kinds, the "black-earth," the "white-skinned," and the "red-skinned." The price of each chest is from 800 to 900 dollars for the best, and from 500 to 600 for the inferior quality. This applies to what is sold in the province of Kwangtung. With regard to the other provinces, the vessels of which carry on illicit traffic with the receiving ships at Lintin, it is difficult to obtain any full and complete statement respecting them.

Annual loss to the country.

The amount annually lost to the country is about ten and some odd millions of money. The money thus lost was, at first, the foreign money wherewith foreigners had previously purchased goods; now it is entirely the fine silver of the inner land, cast into a different form at Macao. Formerly the foreigners imported money, to purchase the merchandize of the country; but now it has all been carried back. In the first instance it was their practice to recast the foreign money, fearing lest any discovery should be made of their transactions; but now they openly carry away sycee silver. The ships which, as they bring commodities of all kinds, anchor at Whampoa, used formerly to have opium concealed in their holds. But in the first year of Taoukwang (1821), owing to a petition from one Ye Hangshoo, investigation was made, and the Hong merchants have always since then been required to sign bonds, that no foreign vessel which enters the port of Canton has any opium on board; and from that period, the opium-receiving ships have all anchored at Lintin, only going in the 4th or 5th month of every year (May or June) to the anchorage of Kapshwuy Moon, and in the 9th month (October) returning to Lintin. In the 13th year (1833), the foreigners discovered that the anchorage of Kumsing Moon affords more perfect security; and since then they have removed their anchorage from Kapshwuy Moon to Kumsing Moon. The latter place is near to the villages Kepa and Tangkea, pertaining to the district of Heangshan; and the anchorage of the ships there, inexpedient as it is for the people resident in those villages, is not the less convenient for such traitorous natives as are in combination with the foreigners.

Ways in which silver is exported.

One method employed to take away money from the country is this: to make out false names of ships that have been to China some years before, ships of which the captains do not exist, and the parties concerned in which are dead; and then to represent, that, at a time stated, *such-an-one* had deposited such an amount of money in the hands of *so-and-so*, and that the applicant now wishes to carry it away, on behalf of the party named. The Hong merchants make artful petitions of this kind for the foreigners, and thus obtain permission for them to carry away money. Another method is, to have money put in the same packages with merchandize.

The officers guilty of remissness.

It is since the suppression of the pirates in the reign of Keaking that opium has gradually blazed up into notice. At first the annual sale of it did not exceed in value a few millions; but of late it has risen to nearly twenty millions; and the increase and accumulation of the amount, from day to day and from month to month, is more than can be told. How can it be otherwise than that the silver of China is lessened, and rendered insufficient, even daily! But that it has gone to this length, is altogether attributable to the conduct of the great officers of the above-named province, in times past—to their sloth and remissness, their fearfulness and timidity, their anxiety to show themselves liberal and indulgent,—by which they have been led to neglect obedience to the prohibitory

prohibitory enactments, and to fail in the strict enforcement of the precautionary regulations.

How shall the exportation of silver be stayed.

Our empire is wise and good in all its laws and statutes. Regulations have been enacted, in regard to the opening and working of mines, with a view to their entire preservation, because this silver, possessed in China, is not to be found native elsewhere. If, then, the exhaustable stores of this empire be taken, to fill up an abyss of barbarian nations that never can be filled, unless measures be speedily adopted to prevent it, our loss will, within ten years, amount to thousands of millions, and where will be the end of this continual out-pouring?

Not by stoppage to trade.

Some reasoners on the subject say, "Cut off entirely commercial intercourse, and sacrifice one million of duties to retain in the country twenty millions of money: the loss will be small, the gain great." They forget that the various countries of the west have had commercial intercourse here for many years; and that in one day to put an entire stop to it would not only be derogatory to the high dignity of the Celestial Empire, but would also, we may fear, be productive of any but good results.

Nor by admission of opium.

Others say, "Repeal the prohibitions against opium, let it be given in exchange for merchandize, and let a duty be levied upon it. Thus our money will be saved from waste, and the customs duties will be rendered more abundant, so that a double advantage will be gained." These forget, that, since—even while the law tends to prohibit the drug, the fine silver is nevertheless drawn off, and opium abunduntly imported—there is room to doubt whether merchandize will always be taken in exchange for the drug, when the sale of it shall be made public, and may be carried on with open eyes and unblushing boldness, and when the importation of it will consequently be greatly increased. A case in point is that of the ships bringing foreign rice to Canton, in consequence of a representation to the throne, these ships are freed from the tax called "measurement charge," only being required to take return cargoes of *merchandize*; and now the Spanish and other rice-laden ships have made it a practice to take their returns in *specie*. From this we may see, that, whenever the prohibition of opium shall be repealed, an increase in the clandestine drawing off of silver will be an inevitable consequence.

Arguments against opium, on ground of morality and policy.

Moreover, if the sale of the drug be not prohibited, neither can men be prevented from inhaling it. And if only the officers of government and the military be prohibited, these being all taken from the scholars and common people, what ground will be found for any such *partial* prohibition to rest upon? Besides, having a clear conviction that the thing is highly injurious to men, to permit it, notwithstanding, to pervade the empire—nay, even to lay on it a duty—is conduct quite incompatible with the uninjured dignity of the great and illustrious Celestial Empire. In my humble view of the case, the exportation of sycee silver to foreign regions, and the importation of opium, are both rightly interdicted. But local officers, having received the interdicts, have not strenuously enforced them, and hence the one coming in has produced the out-going of the other. If in place of reprehending their failure strenuously to enforce them, these prohibitions be even now repealed, this will be indeed to encourage the vicious among the people, and to remove all fault from the local officers. But how, when once this prohibition of opium is withdrawn, shall the interdict against the exportation of sycee silver be rendered strict? It cannot be so; for we shall then ourselves have removed the barriers. It were better that, instead of altering and changing the laws and enactments, and utterly breaking down the barrier raised by them, the old established regulations should be diligently maintained, and correction be severely employed.

It is practicable to prevent the importation of opium.

Now between the inner land and the outer seas, a wide separation exists. The traitorous natives who sell the opium cannot alone, in person, carry on the traffic with the foreign ships. To purchase wholesale, there are brokers. To arrange all transactions, there are the Hong merchants. To give orders to be carried to the receiving ships, that from them the drug may be obtained, there are resident barbarians. And to ply to and fro for its conveyance, there are boats called 'fast crabs.' From the great Ladrone Island, at the entrance of the inner seas, to Kumsing Moon, there are all along various naval stations; and to bring in foreign vessels there are pilots appointed; so that it cannot be a difficult thing to keep a constant watch upon the ships. And even though from Fuhkeen and Chekeang, from the ports of Shanghae and Teentsin, vessels should repair directly to the receiving ships to trade with them, yet, situated as their anchorage is, in the inner seas, what is there to prevent such vessels from being observed and seized? And yet, of late years, there has been, only a

solitary instance, namely during the late governor Loo's administration, whee Teen Poo, magistrate of the district of Heangshan, in conjunction with th naval force, captured one single boat laden with opium. With this exception we have seen but little of seizures. The reason is, that the men who are appointed to observe and watch for offenders receive presents to pass over all things, and observe nothing.

By first punishing the natives;

From times of old it has been a maxim, in reference to ruling barbarians, to deal closely with what is within, but to deal in general with that which is without,—first to govern one's self, and *then* only to govern others. We must then, in the first place, establish strict regulations for the punishment of offences; and afterwards we may turn to the traitorous natives who sell the drug, the Hong merchants who arrange the transactions, the brokers who purchase wholesale, the boat-people who convey the drug, and the naval officers who receive bribes; and, having with the utmost strictness discovered and apprehended these offenders, we must inflict on them the severest punishments of the law. In this way, the inhabitants of the inner land may be awed and purified.

And then bringing the foreigners to account.

The resident barbarians dwell separately in the foreign factories. In the Eho (Creek) factory is one named Jardine, and who is nick-named the Iron-headed old rat; also one named Innes: in the Paoushun factory, is one named Dent; also one named Framjee, and one named Merwanjee: in the Fungtae factory is one named Dadabhoy: in the Kwangyuen (American) factory is one named Gordon: in the Maying (Imperial) factory is one named Whiteman: in the Spanish factory is one named Turner: and besides these are, I apprehend, many others. The treatment of those within having been rendered severe, we may next turn to these resident foreigners, examine and apprehend them, and keep them in arrest; then acquaint them with the established regulations, and compel them, within a limited period, to cause all the receiving ships anchored at Lintin to return to their country:—they should be required also to write a letter to the king of their country, telling him that opium is a poison which has pervaded the inner land, to the material injury of the people; that the Celestial Empire has inflicted on all the traitorous natives who sold it the severest penalties; that with regard to themselves, the resident foreigners, the government taking into consideration that they are barbarians and aliens, forbears to pass sentence of death on them; but that if the opium receiving ships will desist from coming to China, they shall be indulgently released and be permitted to continue their commercial intercourse as usual; whereas, if they will again build receiving vessels, and bring them hither to entice the natives, the commercial intercourse granted them in teas, silks, &c., shall assuredly be altogether interdicted, and on the resident foreigners of the said nation the laws shall be executed capitally. If commands be issued of this plain and energetic character, in language strong, and in sense becoming, though their nature be the most abject—that of a dog or a sheep, yet, having a care for their own lives, they will not fail to seek the gain, and to flee the danger.

On the latter point, there need be no scruple.

Some think this mode of proceeding too severe, and fear lest it should give rise to a contest on our frontiers. Again and again I have revolved this subject in my mind, and reconsidered how that, while in their own country no opium is smoked, the barbarians yet seek to poison therewith the people of the Central flowery land; and that while they bring to us no foreign silver, they yet would take away our native coin; and I have therefore regarded them as undeserving that a single careful or anxious thought should be entertained on their behalf. Of late, the foreign vessels have presumed to make their way into every place, and to cruise about in the inner seas. Is it likely that in this they have no evil design of spying out our real strength or weakness? If now they be left thus to go on from step to step, and their conduct be wholly passed over, the wealth of the land must daily waste away and be diminished. And if when our people are worn out, and our wealth rendered insufficient, any difficulty should then, even by the slightest chance, as one in ten thousand, turn up, how, I would ask, shall it be warded off? Rather than to be utterly overthrown hereafter, it is better to exercise consideration and forethought now, while yet our possession of the right gives us such energy and strength, that those barbarians will not dare to slight and contemn our government; nor (it may be hoped) have any longer the means of exercising their petty arts and devices.

Conclusion.

Regarding this as a subject of importance, I have given it the most attentive investigation: and having formed my own views thereon, it is befitting that I should

should delineate and clearly state them. To determine as to their correctness, or otherwise, it is my duty to request that your Majesty's pleasure may be declared to the Ministers of the Court, requiring them with full purpose of heart to take into consideration these views. Laying them before your sacred Majesty, I prostrate implore my Sovereign to cast a glance upon them. A respectful memorial.

Supplementary Statement.

FURTHERMORE, in regard to the residence of the foreign barbarians at Macao, the prohibitory enactments are very full and clear. But I have heard that it has of late been usual for the barbarians to sit in large native sedans, and to hire natives to carry them: also to hire native females for purposes of prostitution, who are called 'ta-fan.' Moreover, their merchant ships are not allowed by the regulations to discharge their cargoes clandestinely at Macao; but of late it has become customary for only those ships to make their anchorage at Whampoa, which have return cargoes of merchandize to take away; while the others never enter the port, nor announce their arrival. These last send their finer and lighter goods, on board the boats called 'fast crabs,' from Kumsing Moon and other places, for sale. The coarser and heavier goods, they unlawfully send in cargo boats direct to the Stadt-house (in Chinese *Stá'*) at Macao; after which they call upon the Hong merchants to hire chop-boats to convey them to the provincial city, and exchange them for other goods,—thus not only evading the measurement charge and duties, but also avoiding examination on the part of the native authorities. Illegalities of foreigners.

But the extreme case is this:—at Macao, on the outside of the gate called the Ditch-gate, are very numerous graves of the natives. In the second month of the present year, the foreigners made a wide road there, levelling entirely the graves. The Sub-Prefect stationed at the place reported this to his superiors; and, at his request, a deputy was sent to visit the spot in concert with him, and to reprehend the foreigners. These, however, would not make acknowledgment of their offence; and when the officers sent men to repair the tombs, they even led on their barbarian slaves, and beat the native police and people. Afterwards a linguist was sent to admonish them authoritatively; and then only they sent an address to the officer, seeking to conciliate him. Such outrageous, overbearing, and lawless conduct arises wholly from this, that the local officers thinking forbearance to be the most quiet policy, seek only to obtain present freedom from disturbance, and hence give occasion for being treated with slight and contempt. Their violence.

Macao is within the jurisdiction of the district Heangshan, and on all sides of it there are naval stations. For all its daily necessaries, it is compelled to look up to us. The compradors employed by the foreigners there, are natives to whom permits are granted by the Government. Should, therefore, the least insubordination be shown by the foreigners, there would be no difficulty in immediately having their lives in our hands. I have been told that a former magistrate of that district, named Pang Choo, on account of the pride and profligacy of these barbarians, removed from among them all the native dealers and merchants, and allowed no commercial intercourse on the part of natives with them; till the barbarians, trembling with fear, were at once brought to order. This is yet in the recollection of the gentry of Heangshan. Since a district magistrate could effect thus much, would the barbarians dare even to move, if the great officers of the country would make a display of their power? Another instance occurs to me. The barbarians at Canton built a quay, outside the city, a work which went on for months without any hindrance being made to it. But when your Majesty's Minister Choo Kweiching was sent thither as Lieutenant-Governor, he went to the spot, set down his sedan there, and commanded the instant destruction of the work; and the barbarians subdued by his unostentatious firmness, dared not even to utter a word. Again, the year before last, when Lord Napier brought ships of war up to Whampoa, your Majesty's Minister Loo Kwan, the Governor, stationed the naval forces so as to present a close unbroken line of defence; and the barbarians were at once filled with dismay, repented their error, and requested a permit to leave the port. We see from these instances that the barbarians have never yet failed to succumb. Practicability of checking these illegalities and this violence.

Now, to make ostentatious show of terrors is, it is true, calculated to ruin affairs, Importance of doing so.

affairs, but to pass faults over in silence is, on the other hand, calculated to nourish depravity. If the old regulations be not rendered conspicuous, and the prohibitions be not strictly enforced, these barbarians will end with doing whatever they please, imagining that there is no limit to forbearance. The barbarians, pluming themselves on their great wealth, extensively practise bribery and corruption, and have many traitorous natives for their agents, and many of the police in combination with them. Hence, if a talented, intelligent, and determined officer were, in the first place, to punish severely the Chinese traitors, we may hope that he would thus be able at once to overwhelm the spirit of the barbarians.

This further exposition of my feeble and obscure views, it behoves me to add to my previous representation, and, prostrate, lay it before your sacred Majesty, hoping that my Sovereign will cast a glance thereon. A respectful memorial.

Inclosure 7 in No. 90.

Imperial Edict in reply to the two preceding documents.

THE Councillor Choo Tsun has presented a memorial, requesting that the severity of the prohibitory enactments against opium may be increased. The Sub-Censor Heu-Kew also has laid before Us a respectful representation of his views: and, in a supplementary statement, a recommendation to punish severely Chinese traitors.

Careful consideration requisite.

Opium, coming from the distant regions of barbarians, has pervaded the country with its baneful influence, and has been made a subject of very severe prohibitory enactments. But, of late, there has been a diversity of opinion in regard to it, some requesting a change in the policy hitherto adopted, and others recommending the continuance of the severe prohibitions. It is highly important to consider the subject carefully in all its bearings, surveying at once the whole field of action, so that such measures may be adopted as shall continue for ever in force, free from all failure.

Strict investigation to be made.

Let Tang and his colleagues anxiously and carefully consult together upon the recommendation to search for, and with utmost strictness, apprehend all those traitorous natives who sell the drug, the Hong merchants who arrange the transactions in it, the brokers who purchase it by wholesale, the boatmen who are engaged in transporting it, and the naval militia who receive bribes; and having determined on the steps to be taken in order to stop up the source of the evil, let them present a true and faithful report. Let them also carefully ascertain and report, whether the circumstances stated by Heu-Kew in his supplementary document, in reference to the foreigners from beyond the seas be true or not, whether such things as are mentioned therein have or have not taken place. Copies of the several documents are to be herewith sent to those officers for perusal; and this edict is to be made known to Tang and Ke, who are to enjoin it also on Wan, the Superintendent of Maritime Customs. Respect this.

Inclosure 8 in No. 90.

Report in reference to the circulation of dollars in China.

August, 1836.

Preamble.

REPORT, made by the Commissioners of Finance and of Justice in the province Kwangtung, to the heads of the Provincial Government, requesting that their Excellencies, when replying to His Majesty, will recommend that the use of foreign money be still sanctioned, as being suitable to the position of foreign affairs here: but that all exchanges for, or clandestine exportation of, sycee silver be disallowed.

Necessity of retaining the foreign money in the eastern

Foreign money is brought from the lands of the distant barbarians, and is essentially necessary to the mercantile classes trading in all the provinces along the coast, who for their daily supplies of food and other necessaries, are dependent

dependent on the facility of exchanging this money, and on its general circulation. It is not, therefore, to be dispensed with for a single moment. Its circulation, however, is confined to the provinces Keangnan, Chekeang, Fuhkeen, and Kwangtung, or, if it do occasionally extend, in the course of trade, to adjoining districts (for this is a circumstance not wholly to be avoided), yet it cannot circulate much further inland than a few hundred miles. As to the provinces lying northwards, the two provinces of "The Lakes" (Hoonan and Hoopih), Szechuen, Yunnan, and Kweichow, this money does not at present circulate in any of them: and if perchance a few specimens reach those places, they are prized merely as curiosities; or, if it be attempted to force them on the market, they can be exchanged only at a discount, and even then with difficulty. How can it be supposed, therefore, that this money will immediately spread itself into universal circulation?

and southern provinces.

Having taken this general view of the subject, we will turn to the representation made by the Censor Shin Yung. In the representation, he expresses his apprehension that the low standard of foreign money must render it difficult to be exchanged for sycee silver at a fair and regular rate; and on that account he requests that the inhibition of the money may be made a subject of consideration. This recommendation is doubtless the result of anxious attention to the policy of Government, and serious regard for the interests of the people. But arguments are not wanting in favour of the circulation of money, so far as regards the eastern and southern provinces.

Doubts expressed by Shin Yung are to be met.

The places where foreign ships anchor are also the places where foreign money is scattered abroad. The supplies of provisions furnished to them comprise minute and multifarious details; their expenses include numerous items of a very varied character; and many small sums are paid by them, as the hire of labour, or the price of articles. Not a day passes without money being used for one or other of these purposes. It becomes, then, a matter of necessity that they should bring foreign money with them, to meet these various expenses; and hence it happens that the market prices are regulated by dollars, it being found highly convenient to value goods by them. The people among themselves, also, gladly fall in with such an arrangement, finding it to be advantageous. From which it is clear that *the inhabitants of the coast* cannot well be deprived of the foreign money.

By showing that the money is necessary—1. To the inhabitants of the coast.

Again, native merchants, trading by sea along the coast, when they travel, carry their money with them. If these have to carry the governmental [copper] coin, the expense of so doing will be a heavy tax upon their small transactions; and if they carry gold or silver to sea with them, they have reason to fear lest they be found guilty of contravening the prohibitions of government. It is therefore impossible for them to do otherwise than carry foreign money with them, it being necessary that they should have such money in order to make purchases. And hence it is evident that the *native mercantile classes* along the coast cannot dispense with the use of foreign money.

2. To traders along the coast.

Further, as to the foreigners, they import foreign money into Canton as a medium in which to pay the prices of commodities purchased by them. The amount of such importations is variable and uncertain; and whatever balance they may have remaining is either employed, on perceiving an advantageous state of the market, in making additional purchases, or is spent in a more abundant and luxurious supply of the daily necessaries of life. For in the love of much money, and of good prices, the flowery people and barbarians are altogether like-minded. We see, then, lastly, that the *foreign merchants* of other countries are likewise unable to dispense with the use of foreign money.

3. To foreign merchants in China.

We are informed that there are silver mines in England, and America, and Spain. Although the pattern after which the money of each country is made differs, yet the degree of purity is nearly the same with all, being above ninety per cent. touch, as compared with the sycee silver of China. We see, then, that though they be left to follow their own methods, yet the foreigners do not draw their materials from this country. And in commercial intercourse, so long as each holds its due place, the foreign money is the same as though it were issued from the mint of the palace itself. Our empire is separated from the foreigners by ten thousand miles of sea, over which they cross to present things of value and to offer tribute; and for their doing this, established regulations exist. Since, then, to present themselves here, and to make offerings has been so long their practice, that time has rendered it equal to an ancient rule that they should

And that no injury is to be apprehended from its circulation.

so do,—what cause can there be for apprehension of any consequences that may arise from permitting them to bring such things as will be most advantageous and profitable to them? It is most truly said in His Sacred Majesty's Edict, that the circulation of the foreign money in the east and south is not a thing merely of yesterday. The right mode of acting is, to establish *rules* and *limits*, so as to bring upon the same level the wishes both of our own people and of those from afar. But were the foreign money permitted to be circulated even in all the provinces, it would not be productive of the slightest injury to China.

The varying weight and standard of foreign money alone objectionable.

The great objection to the use of foreign money is this, that with it no regard is paid to the weight of metal, or the degree of purity. In Canton, this was formerly the case, also. But at a later period, as a precaution against fraud, foreign money began to be stamped and chopped, to mark the degree of purity, and to be weighed, in order to ascertain the quantity of metal. The money so stamped is in general circulation in the markets, where it goes by the name of "broken pieces;" and when it is exchanged for sycee silver, about three or four taels per cent. are added to make amends for inferiority in touch. But in Keangnan and Chekeang no money is in circulation but such as is bright, with a new smooth face. At present the "broken pieces" of Canton, when paid in exchange for new-faced money, pay a premium of no less than six or seven taels per cent. And crafty dealers, having many clever devices for obtaining gain, raise the price still higher, whenever the supply of this new-faced money is insufficient. Of the manner in which the money circulates in Keangnan and Chekeang, at the present time, we are ignorant.

Hence, payments, though in new dollars, should be by weight, and the value of dollar silver should always be kept below that of sycee silver.

Should the Imperial pleasure be declared in favour of the circulation of foreign money, it ought to be required, in all the provinces, that the money be paid by weight, and that prices be no longer rated by the *number* of dollars; that foreign money, when exchanged for sycee silver, whether such money be in broken pieces, or in whole bright-faced coin, shall always pay a premium per cent. to make up the difference of purity between it and sycee silver; and that foreign money shall never be allowed, on the contrary, to bear a premium, when given in exchange for sycee silver. With regard to native counterfeits and adulterated pieces of money, ths shroffs in the market places are so expert in discovering and picking out such, that it is quite unnecessary to think for the people on this point, or to make any rules or restrictions with reference to it.

Precautions to be taken that sycee silver be not exported.

The purity and weight of the silver being in this manner rendered subject to trial, the crafty deceitful character of the foreigners will have no room for exercising itself in petty arts. But the importance of the Custom-House restrictions is such as to call, in a still greater degree, for prohibitions,—prohibitions, namely, of the exportation of sycee silver. It is our duty to request, that, in all future commercial dealings with foreign merchants, no persons be permitted to mix up sycee silver in the payment of any balances due to such foreign merchants, or to sell any sycee silver to them for their every-day use; that voluntary engagements to this effect be filed by all the Hong merchants, both the senior merchants and the others; that, if any of these infringe this regulation, they be rendered liable to severe punishment by fine or transportation; and that if any shopkeeper, or any other of the people, transgress it, such transgressor be made liable to a punishment one degree more severe. The officers and men in charge of custom-houses and passes, as well as those in command of naval vessels at sea, should be required to keep guard in constant succession, the latter always cruising about. When the foreign ships are returning from hence, officers and men should be bound to search faithfully; and in case of their discovering and making seizure of any sycee silver, and sending the offenders to meet their trial, they should be rewarded by a gift of all the silver so seized. Should any dare to protect and wilfully connive at any transgression of the law, and should such connivance be discovered by the transgressor being elsewhere apprehended, inquiry ought to be made as to the places through which the transgressor had passed, and the officers and men at those places ought to be dealt with most severely. If regulations be made of this clear and determined nature, all will then be convinced that the purpose is to uphold them.

Conclusion.

The luxuriance and splendour of this Central nation are such, that its own native treasures are exhaustless, and it values not things of foreign and distant extraction. The would-be-clever arts of the outermost barbarians it reckons as nothing

nothing and of no worth. These arts can, therefore, be productive of no detriment to the policy of the Government, while to the people they appear not unattended by some advantage. It is our duty, therefore, to request that your Excellencies will implore His Majesty, of his heavenly favour, to sanction the continuance of foreign money in circulation in the sea-board provinces, its circulation being suitable to the position of foreign affairs, and convenient for the people. As in duty bound, we have consulted together, and lay before your Excellencies the result, awaiting your decision as to the correctness or incorrectness thereof, preparatory to a full memorial to the Emperor.

(Signed) J. ROBERT MORRISON,
Chinese Secretary and Interpreter.

No. 91.

Captain Elliot to Viscount Palmerston.—(Received July 17, 1837.)

My Lord, *Macao, February* 7, 1837.

THE Inclosure No. 1, which I have now the honour to transmit, is an edict from the heads of the Provincial Government, issued on the 28th October last, directing inquiries to be made respecting certain foreign merchants reputed to be traders in opium.

The Inclosure No. 2, is an edict from the same source, requiring the departure of certain foreign merchants within half a month.

Of the persons thus ordered to leave the country, the following gentlemen are British Subjects.

Messrs. Jardine,	Turner,	Framjee,	Parsees.
Dent,	Whiteman,	Merwanjee,	
Innes,		Dadabhoy,	

The Inclosure No. 3, is an edict, dated 13th December last, extending the limits previously fixed for the departure of these gentlemen. If these instruments had not been accompanied by very earnest and repeated injunctions upon the part of the Hong merchants, to the parties whose names are specified, it would have been reasonable to consider them to be the more ordinary, and empty proclamation of purposeless command, which the Provincial Government is either pleased or obliged to put forward, from time to time.

I need not press upon your Lordship's attention, the excessive degree of alarm and mischief which would be created amongst the merchants and manufacturers in England, connected with the trade, if they should learn that their agents in this distant part of the world, with balances to remit, and large stocks on hand, and on the passage, were suddenly driven forth from the country.

For my part, I have no belief that any such measure will be attempted. But your Lordship will observe it is menaced, and the posture of other circumstances in relation to it, is certainly very peculiar.

In determining upon the course which events may render needful upon this particular subject, it became me to give the fullest weight to the consideration, that many of the parties in England, interested in this commerce, might sink under the panic which such tidings would occasion; and that they would be productive not merely of great private distress, but of considerable public inconvenience.

Indeed, amongst other reasons for addressing this despatch to your Lordship, I have felt that the persons in England whose capital is newly embarked in this trade, are not likely, as the Company were, to take any accurate estimate of the force of these menaces. It appears to be probable, then, that His Majesty's Government may be applied to by alarmed individuals, upon this subject, and that it may be convenient to possess official means of assuring them, there is no great cause to believe such proceedings will be attempted. And at all events, that every proper effort will be made on the spot to prevent them.

When your Lordship's despatch, of June 15, 1836, arrived, the edict of 13th December (Inclosure No. 3,) had not reached our hands, and at that period the last information we had of the intentions of this Government, was the edict of

the 23rd November, commanding the merchants to leave the country in half a month.

At that conjuncture it seemed to me, that if I should succeed in placing myself conciliatorily and unsuspiciously in communication with the Government, I should stand in a position enabling me to interpose very efficaciously in this matter, at any moment of real difficulty which might present itself. To the merchants this interposition would be advantageous, because it would place me, in my official station, between them and an exceedingly critical state of circumstances; to His Majesty's Government, because it would either prevent grave inconveniences, or at all events justify measures for their prompt and complete redress, by the record of my previous formal remonstrances, and protests, to the Chinese Authorities.

Very shortly after my assumption of this office, the edict of the 13th December last appeared. And I have abstained from taking any steps in this matter, till the period of the extended time shall be at hand; neither shall I move, then, unless it be clear that the Provincial Government still persists in its intentions. Your Lordship, I hope, will consider I am right in refraining from any unnecessary interference upon such a subject.

If a mere temporary visit to Macao would be sufficient on this occasion, it must be admitted that such was the usual custom of the Company's servants; and I dare say the gentlemen adverted to, would not find it inconvenient at the inactive season of the year fixed for their departure, to meet the wishes of the Local Government to that extent. If this, however, should not be enough, and the Provisional Authorities be indeed sincerely determined to attempt the dismissal of the merchants from this country, my interposition will become indispensable. And your Lordship may rely on my measured, but firmest opposition to an intolerablyinjurious aggression of this practical nature.

But situated as I am, I cannot think there will be much difficulty in satisfactorily averting serious disputes upon this subject.

I shall avail myself of any favourable occasion which these edicts may present, to attempt some further advantageous modifications in the mode of official intercourse between the Provincial Government and ourselves.

I have, &c.
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosuse 1 in No. 91.

Edict from the Heads of the Provincial Government, directing inquiries to be made respecting certain foreign Merchants reputed to be traders in Opium.

TANG, Governor of Kwangtung and Kwangse, &c., Ke, Lieutenant-Governor of Kwangtung, &c., and Wan, Superintendent of Maritime Customs, issue their commands to the senior Hong merchants, requiring their full acquaintance therewith.

Extracts from an Imperial Edict.

We, the Governor, Lieutenant-Governor, and Hoppo, have, with deep humility, received an Imperial Decree, commanding us, "in reference to the memorial of the Sub-Censor, Heu-Kew, respecting the traitorous natives who deal in opium, the Hong merchants who arrange all transactions, the brokers who purchase wholesale, the boat-people who convey the drug to and fro, and the naval militia who connive, being bribed, to examine closely, and strictly apprehend, offenders in all these points; to deliberate on the subject with full purpose of heart; to endeavour strenuously to dam up the source of the evil; and to report on the whole subject fully and faithfully. Respect this."

And from the Memorial of the Sub-Censor Heu-Kew.

We also, at the same time, received a copy of the Sub-Censor Heu-Kew's memorial, in which we find the following passage:—"The traitorous natives who sell the opium, cannot altogether carry on the traffic with the foreign ships in their own persons. To purchase wholesale there are brokers: to arrange all transactions there are the Hong merchants: to take money, and give orders to be carried to the receiving ship, that from them the drug may be obtained, there are resident barbarians. The resident barbarians dwell severally in the foreign factories. In the Creek factory is one named Jardine, and who is nicknamed

named the "Iron-headed old rat;" also one named Innes: in the Paoushun factory is one named Dent; also one named Framjee, and one named Merwanjee: in the Fungtae factory is one named Dadabhoy: in the American factory is one named Gordon: in the Imperial factory is one named Wetmore (some read Whiteman): in the Spanish factory is one named Turner; and besides these I apprehend there are many others."

Measures hitherto taken against the importation of opium.

Opium, we observe, is an article respecting which Imperial decrees have been repeatedly received, all commanding its prohibition, and directing, that if any foreign trading ship presume to come hither with opium, such trading ship shall be immediately sent back, and not suffered to have any traffic with Canton. And Yuen, formerly Governor of these provinces, having taken up and investigated a case of four country ships, *Hat* and others, in which opium had been brought into the port, respectfully received the Imperial commands to inflict punishment. He also presented a memorial, suggesting, that on occasion of any foreign ship entering the port, the senior merchants should be required to examine and enter into securities for her, each in succession; and that, in concert with the several other security-merchants, they should be required to examine each vessel, and then to sign a bond, purporting that the foreigners on board such vessel do not bring with them any opium. These voluntary bonds given by the security-merchants, are, according to the constant practice of the said merchants, continued for some time past, presented to the Hoppo, by whom they are transmitted, for preservation (in the Governor's Office.)

Its direct importation prevented, but not the sale of it, outside the port.

While, however, the foreigners are thus prevented from bringing opium into the port, the receiving ships at Lintin bring the drug hither and dispose of it only the more contumeliously. But, were it not for the crafty and artful devices of the said merchants, and their encouragement held out to bring it, were it not for their co-operation and connivance, their arrangement of transactions, that they may divide the spoil, how could the foreigners have it in their power to exercise their petty contrivances? It is, in the highest degree, our bounden duty to inquire into this matter.

Orders to inquire in regard to the individuals named in the above extracts.

Forthwith, therefore, we issue these commands. On their reaching the said merchants, let them immediately ascertain if the before-named foreigners, Jardine, or the iron-headed old rat, Innes, Dent, Framjee, Merwanjee, Dadabhoy, Gordon, Wetmore (or Whiteman), and Turner, do, or do not, severally reside in the Creek, Paoushun, Fungtae, American, Imperial, and Spanish factories; of what foreign nation they are; in what manner they continue stationary in this place, and store up and sell their opium; from what year they date the commencement of their opium transactions; what quantity of the drug they annually store up and dispose of; and whether they ordinarily insist on payment of the price of it in sycee silver? Let them particularly inquire on each of these points, and faithfully report to us, that we may thoroughly investigate the subject. Should the said merchants think practically to set aside the laws, and afford aid and co-operation, or dress the subject in false colours and pretexts, they will find, we apprehend, their criminality too heavy for them to bear. Let them, one and all, maturely consider and weigh this; and, with trembling and earnest diligence, let them obey these our special commands.

16th year of Taoukwang, 9th month, 19th day. (28th October, 1836.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 91.

Edict from the Heads of the Provincial Government, requiring the departure of certain foreign Merchants within half a month.

TANG, Governor of Kwangtung and Kwangse, &c., Ke, Lieutenant-Governor of Kwangtung, and Wan, Superintendent of Maritime Customs, issue these commands to the Hong merchants, requiring their full acquaintance therewith.

A report received from the Hong merchants.

We have received from the said merchants a report, purporting to be "a Report made for our thorough investigation, in obedience to our command, to ascertain

ascertain the reason of the foreign merchants, Jardine and others, remaining so long in Canton, in place of returning home according to the regulations." Having received it, we have again taken this case under our consideration. It is a case brought to our attention by an Imperial decree, which we have respectfully received. The subject has been well and accurately laid open in the statements of the original memorial. And how, in any way, can the fact of these foreign merchants, Jardine and the others, having made their quarters in Canton for many years, be spoken of as without a cause?

The report inaccurate, and not to the point.

In this report, it is represented that, the receiving ships being anchored in the outer Seas, much of the smuggling carried on by traitorous dealers is conducted by means of sea-going vessels, from various parts of those seas, approaching the receiving ships and purchasing from them. Truly, if, as here represented, all such illegalities are committed outside, how comes it then that the instances that have formerly occurred of seizures have continually been within the precincts of the capital? And even assuming the truth of their present assertion, that the seizures outside are more numerous, seizures at the capital but few, this only shows the rareness, not the entire want, of such seizures. There are then some instances; there must then be men, by whom the transactions are arranged; there must be individuals by whom a mutual understanding is brought about. We, the Governor, Lieutenant-Goveanor, and Hoppo, in our desire to preserve uninjured the property and lives of the said merchants, will not withhold motherly kindness and pains, taking advice and guidance of them. If they acknowledge their offences themselves, their punishment shall be remitted. But if they continue to report in this irrelevant manner, and turn thus away from the point, hereafter, when once discovery is made of an offence on their part, it will only remain to us, to maintain the laws and severely inflict the penalties thereof. And they, if they will not now care for the consequence, will so much the more be left without cause for murmuring against us.

No excuse admissible on behalf of those foreigners who have stayed so long in Canton.

As to the foreign merchants, Jardine and the others, it is wholly needless to question their bare proofless assertions, or at all to doubt, whether their long residence in Canton does, indeed, arise from the multitude of ships, the business of which they have to transact, and from the circumstance that not a month elapses without a trading ship coming to Canton; or whether it is not rather owing to their wanting to wait and observe the prices, in order to make the purchases. For, granting the first assertion to be perfectly true, and that not a day passes in which trade is interrupted, does it, therefore, follow that these foreigners are free to remain, and not return home at all; or can such a principle as this be admitted? Hear what the memorial, formerly sanctioned, says upon this point: "A foreigner of any nation, if, in consequence of its being impracticable for him at once to dispose of his foreign merchandize, he is unable to get in all his property, and has, therefore, no option but to remain in Canton, must, after the foreign ships have left the port, go and reside at Macao, and place his commodities in the hands of a Hong merchant to sell off for him; which, having done, the Hong merchant is to pay him the whole price; and, in the following year, it shall be imperative on him to avail himself of one of the ships of his nation to return home. The Hong merchants and Linguists, should they suffer foreign merchants by degrees to take up their abode in Canton, shall be severally subjected to a strict investigation." Not only then is there nothing to admit of these foreign merchants residing in Canton, there is not even any law to permit their long continuance at Macao. Do they represent, that the trade of the foreigners needs the parties own particular attention? For what purpose, then, are foreign Hongs established, and of what use are the said merchants? Are they, forsooth, established in order that the Hong merchants may twist the laws to serve their own private interests? It is, indeed, most unreasonable, that these men should thus frame their mouths to make pretexts, and work out excuses for the foreigners.

Grateful obedience due from the foreigners.

The sum of the matter is this: These foreigners are richly imbued with the cherishing and protecting favours of the Celestial Empire; and they ought at once to pay implicit obedience to the laws and statutes of the Celestial Empire; and should in all their intercourse, and in everything, conform to the regulations: thus only may they preserve to themselves the path of commercial intercourse here.

And strict obedience will be compelled.

At the present moment, the investigations ordered by the Court are exceedingly strict. If then these foreigners do not bestir themselves, and quickly return

return home, even though it be admitted that they are not residing in the country to sell what is contraband, and though it be granted that the Hong merchants do not combine with them, and arrange all transactions, yet how can these last reconcile it even to their own minds, that they should suffer them still to abide in the place, daily attaching to themselves fresh suspicions? Moreover, we, the Governor, Lieutenant-Governor, and Hoppo, hold the direction of this territory, to eradicate all that is evil, and to bring back to reason the depraved. In chastisements we show no partiality or leniency; and having received with reverence the Imperial commands to investigate the matter, it the more behoves us, to take anxious precautions on every side, equally towards those within and towards those without. Though it be said, that, in regard to what is past, indulgence should be shown, yet how can we neglect to pay prudent attention to future consequences. We desire to impress it on the minds of all, early to look to themselves, and to consider these things long and seriously.

Half a month granted as the limit of the stay in Canton.

Forthwith we issue these commands. When they reach the said Hong merchants, let them immediately enjoin the same on the foreign merchants, Jardine, Innes, Dent, and Turner, as also on those who have resided but for a few years, or who have gone away, and returned again, namely,—Framjee, Merwanjee, Dadabhoy, Gordon, and Wetmore (or Whiteman), desiring them, in obedience hereto, to settle with the utmost diligence their commercial affairs. They are indulgently allowed a period of half a month, in which to pack up their effects, and remove out of the provincial city; and either avail themselves of some expected ship, or of some vessel about to sail, to return to their country. They cannot be allowed longer to loiter about. Should any of them be really unable to conclude their business in half a month they also must go within that time to Macao, but may remain there for a season: and all their goods and accounts they must put into the hands of the Hong merchants, the one to be disposed of, the other to be settled; so that they may speedily return home with all their effects. Nor must they be allowed, by remaining long at Macao, to disobey the fixed regulations. If they dare to continue lingering about it will then be seen, that the said foreigners will not listen to kind language, that they are irreclaimably sunk in folly, and that they are truly such as the Celestial Empire will not bear with: then, when the effects of the law are visited on them, they may find that, though they have a country to return to, yet they cannot return to it. The Creek and other factories in which they are suffered to remain, shall also in such case be closed, and the parties concerned in them shall be brought to investigation. Be careful then not to decide carelessly. Let the said merchants present to us, within three days, signed bonds that the limited period will be carefully observed, in order that we may be enabled, after thorough examination of the subject, to report to His Majesty. Let none oppose this, or delay obedience. A Special Order.

Cautionary admonitions.

16th year of Taoukwang, 10th month, 15th day. (23rd November, 1836.)

Translated from the Chinese.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 3 in No. 91.

Edict from the Heads of the Provincial Government, extending the limit previously fixed as the time for Messrs. Jardine and others to leave Canton.

TANG, Governor of Kwangtung and Kwangse; Ke, Lieutenant-Governor of Kwangtung; and Wan, Superintendent of Maritime Customs, issue these orders to the Hong merchants, requiring their full acquaintance therewith.

We have received the subjoined report from the said merchants:—

Report received from the Hong merchants as under.

"Your Excellencies' commands were received, directing us immediately to communicate to the foreign merchants, Jardine and others, that they are severally to finish with the utmost diligence, their commercial affairs; that they are indulgently allowed a period of half a month, in which to pack up their effects and remove out of the provincial city, after which they are either to avail themselves of some expected ship, or of some vessel on the point of sailing, to

return to their country; that they cannot be allowed longer to loiter about; and that should any of them be really unable to conclude their business in half a month, they also must remove within the time prescribed, but may go to Macao, and remain there for a season; that, however, they must not be allowed, by remaining long at Macao, to disobey the fixed regulations. On the receipt of these commands, we examined our documents, and found, that in our former report we had already stated, that there is no such person here as Merwanjee. With the exception, therefore, of him, we, in obedience to the commands received, enjoined it on the said foreign merchants, Jardine and the others, that they should obey the same, should settle with the utmost diligence their commercial affairs, should, within the prescribed period of half a month, remove from Canton, and either return home, or go down to Macao; and that if there were any who really were unable to conclude their business in half a month, they should place their commodities and their accounts in our hands, that we might dispose of the one and settle the other for them. We also desired them to give us written bonds that they would carefully observe the limited period, in order that we might present the same.

Last order to the Hong merchants enjoined by them.

Replies given by the foreigners.

"Having thus done, we received from Framjee a note, stating 'that as soon as he had concluded his sales and purchases, about the first month of next year, he will return home.' We received also a note from Whiteman *, stating, 'that he has determined to go home, and that at the end of this year, he will avail himself of a vessel sailing back to his country.' We also received replies from Jardine, Dadabhoy, Gordon, Turner, Innes, and Dent, severally stating, 'that at present ships are arriving in great numbers: that it is necessary that they should purchase cargoes for them before they can sail again; and intreating a delay until such time as they have concluded their sales and purchases, when they will go down and reside at Macao.' Having reported these answers, we received your Excellencies' verbal commands, to the effect that the language of the several foreign merchants bore marks of a desire to linger about; and that they should therefore still be directed to move out of the provincial city, as before ordered, within the prescribed time. After we received these directions, we again enjoined the commands, and called on the foreigners to act in trembling obedience thereto.

These replies are unsatisfactory.

Second series of replies from the foreigners.

"This having done, we have now received a reply from Framjee, still entreating 'that he may wait until he has concluded his sales and purchases; and that about the first month of the next year he will return to his country.' From Whiteman we have also received a reply, still requesting 'that he may be allowed to clear up his accounts, and that at the end of this year he will return home.' From Gordon, also, we have received a reply, intreating 'that he may be allowed to stay until his commercial affairs are concluded; that then, in the third month of next year he will return home.' Dadabhoy has replied to us: 'I am now conducting my trading transactions with the utmost diligence. I beg that I may stop till the first month of next year, when I will go down and reside at Macao.' Jardine replied, 'Many ships to my consignment still remain anchored at Whampoa; and it is requisite yet to purchase silk, and teas, and other goods for exportation. The teas this year are reaching Canton later than is ordinarily the case. I entreat that I may be allowed to remain till I have purchased all the goods required, and till the ships have all left the port; and then in the fourth month of next year, I will go down and reside at Macao.' From Dent and Turner we have received answers, 'that they have now ships at Whampoa to their consignment, that they have to purchase silks, teas, and other goods for them to return; and that they intreat, therefore, they may be allowed to stop till they have completed all their sales and purchases, when, in the third month of next year, they will go down and reside at Macao.' Lastly, Innes has replied, intreating 'that he may be allowed to complete his sales and purchases, when, at the end of this year, he will go down and reside at Macao.' These all having reached us, it is our duty to report the particulars, and ask if your Excellencies will deign to grant the requests of the several foreign merchants, which must proceed wholly from your Excellencies' grace and favour."

Remarks by the Governor, &c., reason why the foreigners should leave Canton.

This report having come before us, we, the Governor, Lieutenant-Governor, and

* The name, doubtful in Chinese, seems to have been fixed on Mr. Whiteman, in place of Mr. Wetmore.

and Hoppo, have again taken the subject into consideration. In the regulations there is no article permitting foreigners to abide in the provincial capital. Out of former chance inadvertence, has grown up a stay and continuance therein of several years' duration. It is, indeed, an infringement of the established enactments. Admit that these foreign merchants quietly attend to their commercial duties; grant that they and the Hong merchants are not mutually drawn into acts of depravity, yet suspicions have arisen in the place of their stay that they have taken their quarters here for the purpose of combining with natives to dispose of contraband goods; and the expression of these suspicions has ascended even to the ninth heaven [the Imperial presence,] and has called down from the Great Emperor strict orders to investigate the subject.

Extension of the period to all, to some as requested, to others differently.

Now, having received the above detailed report, we, the Governor, the Lieutenant-Governor, and the Hoppo, look upwards and would embody the extreme desire of the sacred intelligence to cherish strangers with tenderness. In seeking condescendingly to yield to the dispositions of foreigners, what need is there to be over-strict and harsh? But if the period be too long extended, we shall not only be unable to bring words to report it to His Majesty but also, by partiality and connivance, we shall greatly derogate from the dignity of Government. We have, therefore, jointly deliberated and determined on our course of action. The three merchants, Whiteman, Framjee, and Gordon, who have pleaded for a delay, at the same time purposing to return to their country, may be allowed their requests, namely to return severally at the end of this year, and in the first and third months of the next year. They may return at the periods they have named. The two merchants, Innes and Dadabhoy, also, who have requested that they may go and reside at Macao, are allowed to do so at the times named, the close of this year, and the first month of next year. But with regard to the three merchants, Jardine, Dent, and Turner, without having named a period for going home, they seek to go and reside at Macao, and yet ask to stop till the third and fourth months of next year before they go. This is most absurd and foolish conduct. From their statements, however, it appears that they have yet many ships here, and they have need to purchase cargoes for them. We, therefore, will indulgently permit an extension of the period, prescribing to all of them, the second month of next year, at which period they must go to Macao. Between this date and the second month of next year, four months will elapse, and in that long period they may transact all their affairs; or if some do remain unfinished, yet they will be able to make Macao their place of sojourn; we certainly will not permit any the least extension of this period, or opposition hereto. We, the Governor, the Lieutenant-Governor, and the Hoppo, are this day sending a memorial express, to inform the Great Emperor, that periods have been fixed for the departure severally of the said foreigners; and on no account will we make any change.

Written bonds required for observation of the prescribed period.

Let the said Hong merchants take signed bonds from the said foreign merchants, severally, to observe this prescribed limit; and let them also give bonds for themselves, that they will not presume to suffer their stay beyond the period prescribed; the Hong merchants shall be held responsible for them in their property: and these bonds they must deliver within three days. Let them not seek and hope for delay. And as the said foreign merchants successively depart, let them on each occasion report the same, that examination may be made. If, when the periods elapse, they still linger and hesitate to go, it will then be seen that these foreign merchants are bound up in the love of their own private interests, and that they are minded to offer contumelious opposition. We, the Governor, Lieutenant-Governor, and Hoppo, in the performance of our duties, will not assume the slightest degree of false colouring and vain pretext: nor will we show the least personal regard and consideration. We can only pursue our course with firm maintenance of the laws; ruling well on the one hand those without, on the other those within the empire's pale; and thus aiming to display gloriously the Majesty of Heaven [the Emperor]. Say not that ye were not forewarned. Tremblingly and attentively consider this. A special Edict.

16th year of Taoukwang, 11th month, 6th day. (13th December 1836.)

Translated from the Chinese.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 92.

Captain Elliot to Viscount Palmerston.—(*Received July* 17, 1837.)

My Lord, *Macao, February* 10, 1837.

WITH reference to my despatch to your Lordship of 2nd February, 1837, I have now the honour to transmit copies of despatches I have addressed to the Right Honourable the Governor-General and the Honourable the Rear-Admiral Commanding-in-chief, on the same subject.

It is not in my power to inform your Lordship that the restrictive spirit of the Local Government in respect to the opium traffic, has in any degree relaxed.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 1 in No. 92.

Captain Elliot to Lord Auckland.

My Lord, *Macao, February* 2, 1837.

I HAVE the honour to transmit to your Lordship the accompanying series of remarkable papers upon the subject of the legal admission of opium into China. All the documents upon this topic which have yet reached us, are comprehended in this collection, and they are arranged in the order according to which they fell into our possession.

I have also taken the liberty to inclose to your Lordship copies of despatches I have recently addressed to Viscount Palmerston, and to the Honourable the Rear-Admiral Commanding-in-Chief on this station, upon the same subject.

In the actual state of our commerce with China, my Lord, I believe I may say, that the interruption of the opium traffic must have the effect, not merely of temporarily crippling our means of purchasing in this market at all; but, undoubtedly, of placing us, in respect to the prices of the export staples, completely in the power of what may justly be described to be a copartnership of native dealers. The failure of the opium deliveries is attended with an almost entire cessation of money transactions in Canton. And in the glutted condition of this market, your Lordship will judge how peculiarly mischievously the present stagnation must operate on the whole British commerce with the empire.

But it must be quite unnecessary to press upon your Lordship's attention, the many extremely important considerations connected with this subject; and I trust I shall be excused for submitting the most hopeful means which suggest themselves to me, to draw to a close so disquieting a state of things.

I would beg to observe to your Lordship, that the frequent and short visits of ships of war to this anchorage, and in the neighbourhood of the points to which the outside trade has extended, seem to me to be movements calculated, either to carry the Provincial Government back to the system which has hitherto prevailed, or to hasten onwards the legalization measure from the Court.

Your Lordship will perceive that I have solicited the Commander-in-Chief to send a man-of-war to these seas, with instructions to afford such countenance to the general trade as may be practicable, without inconveniently committing His Majesty's Government upon any delicate question. And I most respectfully submit to your Lordship, that if one or two of the Company's cruisers could be joined in this service, there seems to be every reason to hope their presence might considerably facilitate the purposes in view.

I have suggested to the Commander-in-chief, that Manila would be a convenient general station for these ships, and if the officer in command were instructed to place himself in communication with me, your Lordship and the Admiral may rely upon my earnest efforts to furnish him with the best information in my power, and the most cautious counsels.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 2 in No. 92.

Captain Elliot to Rear-Admiral Sir Thomas Bladen Capel, K.C.B.

Sir, *Macao, February* 2, 1837.

HEREWITH I have the honour to transmit to you the copy of a despatch I have recently addressed to Viscount Palmerston, together with a series of papers which accompanied that communication.

In the actual emergency, I venture respectfully to move you to order a ship-of-war to repair to these seas for the purpose of affording such countenance to the general British Trade in China, as may be practicable, without any risk of inconvenient discussions, or collision with this Government.

I have also requested the Right Honourable the Governor-General of India to address you upon this subject, and I have presumed to suggest to his Lordship the advantage which might result to the public interests, if one or two sail of Company's cruisers were placed under the orders of the Captain of His Majesty's ship, who you may be pleased to employ on this service.

I can assure you, Sir, that there is a pressing necessity to use every effort consistent with safety and discretion for the relief of the whole trade, from the embarrassment into which it is thrown by the restrictive spirit of the Provincial Government. And it appears to be highly probable that, at the present crisis, very favourable consequences would ensue from the frequent and short visits of vessels of war, as well to this anchorage, as to the immediate vicinity of the points to which the outside trade has been gradually extending.

Perhaps I may permit myself to remark, that Manila might for the moment be a convenient station of general resort for this small force.

A circumstance occurred in the middle of the year 1835, which may be made a very proper ground of explanation to the Chinese Authorities, if the sudden and frequent apparition of these vessels should seriously disquiet them. They may be reminded, that at that period a British merchant brig (the *Troughton*) engaged in the regular trade, and bound direct to the port of Canton, was plundered by the natives of 70,000 dollars, almost in sight of these roads; and that the commander and several of the crew were desperately wounded in this affray: the necessity of force in the neighbourhood, to check the recurrence of outrages of this kind, is a plea that I can have no doubt the Provincial Government would find itself obliged to accept.

I will only add, Sir, that if you should think fit to do me the honour to place the commander of His Majesty's ship in communication with me, I will anxiously endeavour to assist him with such information and cautious counsels as shall prevent the possibility of inconveniently committing His Majesty's Government upon any delicate point.

I have, &c.
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 93.

Captain Elliot to Viscount Palmerston.—(Received August 22, 1837.)

My Lord, *Macao, February* 21, 1837.

THE Edict from Peking, which I have now the honour to transmit, has this day been forwarded to me from Canton by Mr. Morrison. It is in reply to a report from the Governor and Lieutenant-Governor of these provinces, to His Imperial Majesty, No. 4 of the series of papers forwarded to your Lordship in my despatch of the 2d instant.

The Inclosure No. 2, is a translation from a paper privately procured, purporting to furnish information as to the nature of a despatch received by the Provincial Government upon the same subject.

Upon the genuineness of this last paper, I do not venture to speak with confidence. But founding my conclusions entirely upon the Edict (and the authenticity of that is beyond dispute), I cannot hesitate to repeat to your Lordship, my opinion, not only that this measure is determined, but that the Provincial Government is actually in possession of the pleasure of the Court to admit the opium.

The Edict insists, like the report to which it replies, on the extreme mischief of the escape of the sycee silver, occasioned by the opium trade.

Your Lordship will not find, however, that the Edict points to any other means of preventing that consequence, than those so urgently recommended by the heads of the Provincial Government, namely, the removal of the prohibitions, and the establishment of strict regulations that opium should be sold only in barter for other merchandize.

I cannot but think that the intelligence of the legalization of this traffic would afford His Majesty's Government great satisfaction.

The fact, that such an article should have grown to be by far the most important part of our import trade, is of itself a source of painful reflection. And the wide-spreading public mischief which the manner of its pursuit has necessarily entailed, so ably and so faithfully represented in some of the papers I have had the honour to transmit to your Lordship, aggravates the discomfort of the whole subject.

The legalization measure would certainly be accompanied by permission to grow and prepare the poppy for home consumption. And perhaps your Lordship may be led to think that a gradual check to our own growth and imports would be of salutary effect.

Gradual no doubt, it is most desirable the diminution should be, for in the present posture of circumstances, it must be conceded, that any abrupt interruption of this traffic involves very nearly a complete interruption of the whole commerce with the country.

The importance of this branch of the trade is by no means to be estimated solely by the very large amount to which it figures in the list of imports. A consideration of far more moment is this, that the movement of money at Canton has come to depend, by the force of circumstances, almost entirely upon the deliveries of opium outside.

I need not insist upon the intense inconvenience of a disappearance of cash from a market where eager competitors are purchasing the main body of their returns from a close association of native dealers.

It cannot be good that the conduct of a great trade should be so dependent upon the steady continuance of a vast prohibited traffic in an article of vicious luxury, high in price, and liable to frequent and prodigious fluctuation. In a mere commercial point of view, therefore, I believe it is susceptible of proof, that the gradual diversion of British capital into other channels of employment than this, would be attended with advantageous consequences.

The effect upon the Indian finance of its sudden cessation, could not fail to be extremely perplexing. But I have not been a careless observer since I have been in this country, and I hope your Lordship will let me say that there are many cogent reasons for regretting the extent to which the Indian income is dependent upon such a source of revenue.

The proposed measures of the Chinese Government seem to me to furnish the best hope for our safe extrication from an unsound condition of things.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 93.

Imperial Edict prohibiting the exportation of Silver.

Canton, February 17, 1837.

ON the 20th day of the 12th Month (26 January) the Grand Council of State received the following verbal commands from His Majesty.

Imperial Edict.

A report has this day arrived from Tang and his colleagues, presenting the result of their mutual deliberations, directed to remove the baneful effects that arise from opium having pervaded the country. By the prevalence of opium throughout the empire, there has been occasioned a daily decrease of our fine silver; being now desirous to exert ourselves entirely to stop up the source of this evil, the only sure mode of proceeding is, utterly to prohibit the exportation of sycee silver. If by diligent and assiduous watchfulness in the places from whence the silver is exported, and at those points by which it necessarily must pass, we can deprive both the traitorous natives and the barbarians of all opportunity of exercising their artful devices, it is clear that we may thus gradually close up the breach and prevent further exportation. The said Governor and his colleagues have been able to perceive this, and point it out in their Memorial. Let them join heart and hand to enforce vigilant and faithful observation, to punish all traitorous natives who combine with the foreigners in illegality, and entirely to hinder foreign merchants from gratifying their avaricious greediness; and let it be their grand object wholly to prevent the exportation of our fine silver. Their labours must be productive of some fruit, they must not attempt to get off with mere empty words, but, having the name of exerting themselves, they must prove the reality of their exertions. Communicate these commands to Tang and Ke, and let them enjoin them also on Wan. Respect this.

Decrease of sycee silver occasioned by the importation of opium. Exportation of it therefore to be utterly prohibited.

The Government of the province to exercise vigilance to enforce this prohibition.

Translated from the Chinese,
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 93.

February 17, 1837.

THE following passage is translated from a paper purporting to give information as to the nature of a despatch received by the Provincial Government from Peking.

"A despatch from the Grand Council of State has reached Canton, to this effect, that the exportation of sycee silver is still by law to be prohibited; that as to opium, the Governor and Lieutenant-Governor are directed to deliberate with regard to a duty, to be levied on its importation. The Kwang Chow Hee is to proceed to Peking, to be presented to His Majesty. His vacancy, &c."

Exportation of silver to be prohibited. Importation of opium to be allowed.

(The remainder of the document is a mere detail of appointments.)

Translated from the Chinese.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 94.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 2, 1837.

I HAVE to acknowledge the receipt of your despatches to the 27th of April inclusive, which have been laid before Her Majesty's Government.

In your despatch of the 27th of April you detail the particulars of various communications which you had had with the Viceroy of Canton, with a view to the assertion of your right to forward your communications direct to that officer in a sealed form, and to receive those of his Excellency in a similar form, addressed direct to yourself, and not to the Hong merchants.

Her Majesty's Government have learnt with satisfaction that you had succeeded in obtaining the admission of the first of these claims, which relates to the mode of sending in your own communications; and I am to express to you the approbation of your Government of the course which you pursued on this occasion.

You will not fail, on every suitable opportunity, to continue to press for the recognition, on the part of the Chinese authorities, of your right to receive, direct from the Viceroy, sealed communications addressed to yourself, without the intervention of Hong merchants.

I am, &c.,
(Signed) PALMERSTON.

No. 95.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, November* 2, 1837.

I TRANSMIT to you the copy of an Instruction on the subject of our relations with China, which has been addressed by the Lords Commissioners of the Admiralty to Rear Admiral Sir Frederick Maitland, Commander-in-Chief of Her Majesty's squadron on the East India station.

You will observe that while Sir Frederick Maitland is informed that it is desirable that one or more of the ships under his orders should, as frequently as possible, visit the China station, and should remain there as long as may be consistent with the demands of the service elsewhere within his command; he is also instructed to take the earliest convenient opportunity of himself visiting China, in order to have a personal communication with you, and thus afford an opportunity for the interchange of information between yourself and him, which in many possible future contingencies would be highly advantageous to British interests in that quarter.

Whenever, therefore, you shall receive from Sir Frederick Maitland an intimation of his arrival off the coast of China, you will, if not then residing at Macao, lose no time in proceeding to that place, to meet and confer with him; and in all your communications with the Rear Admiral, or with the Commanders of any of Her Majesty's ships that may visit China, you will be careful to conform yourself to the line of conduct prescribed in the Instruction of which a copy is now transmitted to you.

I am, &c.,
(Signed) PALMERSTON.

Inclosure in No. 95.

Viscount Palmerston to the Lords of the Admiralty.

Foreign Office, September 20, 1837.

HER Majesty's Government have had under their consideration Sir John Barrow's letter of the 6th instant, in which, by command of your Lordships, he incloses a copy of an article in the Instructions to the Naval Commander-in-chief in the East Indies, upon the subject of our relations with China, and requests to be informed whether any, and if any, what addition or alteration should be made in that instruction; and also, whether the Rear Admiral Commanding-in-chief, should not be directed to proceed himself to Macao, to communicate with Her Majesty's Superintendent at Canton. Her Majesty's Government having, at the same time, had under consideration the several letters which have on various occasions been addressed by this department to the Admiralty, upon the nature of the protection which it would be desirable to afford to British subjects resident in or trading to China, I have now to signify to your Lordships the Queen's pleasure, that the existing instruction to the Commander-in-Chief in the East Indies, with respect to China, should be altogether cancelled, and that one, in the following terms, should be substituted in its stead:

"The trade between Great Britain and China being now by law thrown open to all Her Majesty's subjects, instead of being confined, as formerly, to the East India Company, the care of our commercial relations, with the Chinese Empire, has, in consequence, been transferred to the Crown; the East India Company's establishments at Canton and Macao have been withdrawn; and a Queen's officer has been substituted, with the title of Superintendent and with the duties of a Consul. It is, therefore, desirable, that one or more of the ships under your orders should, as frequently as possible, visit the China station, and should remain there as long as may be consistent with the demands of the service elsewhere within your command; and whenever a frigate can be spared for this service, a ship of that class would be preferable to a smaller one.

"The purposes for which such ships would be stationed are:—First, to afford protection to British interests, and to give weight to any representations which Her Majesty's Superintendent may be under the necessity of making, in case any of Her Majesty's subjects should have just cause of complaint against the Chinese authorities; and secondly, to assist the Superintendent in maintaining order among the crews of the British merchantmen who frequent the port of Canton.

"The officers commanding the ships of Her Majesty, which may thus from time to time be sent to China, should be especially admonished to be very careful that the officers and men belonging to the ship under their command, do not in any way offend the prejudices of the Chinese people, nor violate the laws and customs of the Chinese empire; and upon all such matters, as well as with respect to the places where such ships ought to lie, in order best to be able to perform the services for which they are sent, the officers in command should communicate frequently and confidentially with Her Majesty's Superintendent; remembering always, however, that unless in a case of great emergency, when a demonstration or an actual employment of force may be urgently and absolutely necessary for the protection of the lives and property of British subjects, Her Majesty's ships of war are studiously to respect the regulations of the Chinese Government as to the limits beyond which foreign ships of war are not allowed to approach the city of Canton.

"But it is for many reasons expedient, for the interest of Her Majesty's service, that you should yourself take as early an opportunity as may be convenient, to have a personal communication with Her Majesty's Superintendent, who would meet you for that purpose at Macao; and your visit on that occasion should, if possible, be made in a line-of-battle ship. The interchange of information between yourself and the Superintendent, for which such personal communication would afford an opportunity, would, in many possible future contingencies, be highly advantageous to British interests in that quarter.

"You will, however, constantly bear in mind, that while, on the one hand, it is useful that the Chinese should be aware of the nature and extent of Her Majesty's naval power, it is, on the other hand, most important that you should avoid any proceedings which might inspire the Chinese with an apprehension that this naval power is likely to be employed in unprovoked hostility against them."

In conclusion, I am to request that your Lordships will furnish me with a copy of any instructions which you may now, or at any future time, think proper to give to the naval Commander-in-chief in the East Indies, bearing upon the question of our relations with China, in order that the same may, if necessary, be transmitted to Her Majesty's Superintendent in China, for his information and guidance.

I am, &c.,
(Signed) PALMERSTON.

No. 96.

Captain Elliot to Viscount Palmerston.—(Received December 2, 1837.)

My Lord, *Macao, March 18, 1837.*

A SHIP upon the point of sailing for Bengal, affords me a prospect of communicating rapidly with your Lordship, by the means of the overland mail of May.

I seize this opportunity to transmit the translation of an Edict, just procured through a private channel, containing the Imperial pleasure, that I shall be furnished with a passport to proceed to Canton for the performance of my duties.

The official notification may be expected from Canton in the course of a few days.

For the first time in the history of our intercourse with China, the principle is most formally admitted, that an officer of a foreign Sovereign, whose functions are purely public, should reside in a city of the empire. His Majesty's Government may depend upon my constant, cautious, and earnest efforts to improve this state of circumstances.

I have, &c.
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 96.

Edict of the Governor of Canton.

ON the 20th January the report was sent to the Emperor, stating that Elliot the foreigner was to assume the management of the Merchants and Seamen of his country. The despatch of the Privy Council, containing the Imperial Edict, forwarded by a courier of the Military Board, arrived on the 15th March.

Governor

Governor Tang had stated, that after the dissolution of the Company, no Taepan had yet come. In December, last year, the said nation gave a special appointment to one of its officers to proceed to Canton, and take the general control of the Merchants who had previously come to trade, and also of the Seamen, &c.

Since the ships of the said nation continually arrive, there ought to be somebody to control, and occasionally to tranquillize them.

Now, the said foreigner has received a public official commission for the control of the Merchants and Sailors. Though his title and rank are not the same with that of Taepan, the business of controlling does not differ.

He is, therefore, permitted, according to existing regulations, (as formerly the Taepan,) to go up to Canton, and on his arrival at the provincial city to manage affairs. The Hoppo is, therefore, ordered to issue a permit.

When he in future lives either at Canton, or at Macao, he ought to conform to the old laws. He is not permitted to exceed the proper time by loitering about, and thus to give gradually rise to irregularities.

The high officers are held responsible, and must not permit him to create disturbances. For this purpose they ought to issue private orders to the civilians, military officers, and Hong merchants, to inform themselves occasionally about the true state of things, investigate and watch over him.

If the said foreigner performs his duty improperly, acts irregularly, and combines with traitorous natives to disobey clandestinely the laws, he shall be driven back to his country, in order to do away with the source of evil.

Let this Edict be communicated to him. Respect this.

In accordance to the Imperial Decree, this letter was forwarded.

Translated from the Chinese.

(Signed) CHARLES GUTZLAFF,
Joint Interpreter.

No. 97.

Captain Elliot to Viscount Palmerston.—(Received November 25, 1837.

My Lord, *Macao, March* 22, 1837.

I HAVE the honour to inform you that I have this day received the public confirmation of the intelligence conveyed in my Despatch of the 18th inst.; and the protracted departure of the ship which is to carry that communication, has enabled me to transmit the official document by the same occasion.

This paper your Lordship will observe, involves the signification of the Imperial pleasure to his Excellency the Governor, that I shall be furnished with a passport to proceed to Canton, as well as his Excellency's directions to the Hoppo to grant it to me.

The Inclosure No. 2 is my reply to his Excellency the Governor, and the passport may be expected at Macao in the course of the ensuing week.

The immediate departure of the ship will, I trust, be my sufficient excuse for this hurried despatch.

I have, &c.
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 97.

The Hoppo, communicating the Imperial Sanction for the Residence of Captain Elliot at Canton.—Dated 18th March 1837.

WAN, Superintendent of Maritime Customs, &c., to the Hong Merchants, requiring their full acquaintance herewith. The following is a communication which I received on the 16th instant, from his Excellency the Governor Tang:—

"In concluding [the Governor observes] a memorial which I addressed to the Throne, on the 20th of January, I represented to his Majesty the fact, that the English foreigner Elliot had been appointed to take the control over the merchants and seamen of his country. I have now, on the 14th instant, received by a courier of the Board of War, a despatch from the Council of State, addressed to myself, enclosing the subjoined Imperial edict of date, the 2d of February.

"'Imperial Edict:—Tang has represented to us, that since the dissolution of the Company, no chief supercargo has come to Canton; that in December last year, the said nation gave a special appointment to one of its officers, to proceed to Canton and take the general control of the merchants who come to trade, and also of the seamen, &c.; that since the ships of the said nation continually arrive, there ought to be some one to control them, with a view to preserve tranquility; and that the said foreigner having received a public official commission for the control of the merchants and seamen, although his title be not the same as that of the chief-supercargoes hitherto sent, yet in the duty of controlling he does not differ,—It is therefore our Imperial pleasure, that he be permitted to repair to Canton, under the existing regulations applicable to chief-supercargoes, and that on his arrival at the provincial capital he be allowed to take the management of affairs. For this purpose, the Superintendent of Customs is hereby commanded to grant him a passport. In future he is to reside sometimes at Macao and sometimes at Canton, conforming herein to the old regulations; and he must not be permitted to exceed the proper time, and by loitering about, gradually effect a continued residence. The said Governor and his colleagues are hereby authorised to hold the said foreigner responsible for the careful control of affairs, that so all disturbances may be prevented. They should issue strict orders to all the officers, civil and military, and to the Hong Merchants, requiring them to inform themselves from time to time of the true state of things, and to keep a watch on the said foreigner. If he exceeds his duty and act improperly, or combining with traitorous natives, seek to twist the laws to serve his private ends, he must immediately be driven back to his country, in order effectually to remove the source of evil. Let this edict be communicated to Tang. Respect this.'

"I, the Governor, have, on the receipt of this edict, given my attention to the subject, and I find, that I before sent to you a copy of my memorial. I will now direct the financial and judicial Commissioners of this province to issue instructions requiring obedience to this edict. I will also give strict commands to the civil and military officers, and to the Hong Merchants, requiring them, from time to time, to inform themselves of the true state of things, and to keep a watch on the said foreigner; and if he overstep his duty and act improperly, or combining with traitorous natives, seek to twist the laws to serve his private ends, directing them immediately to report the facts, and request that he be driven back to his own country; at the same time cautioning them not to connive in any way, lest they draw investigation upon themselves. Besides taking these steps, it is incumbent on me to communicate to you the above edict, to the end that you may act in obedience to it, and in the hope that, as soon as the said foreigner requests a passport, you will at once give it to him according to the legal forms, at the same time directing the Hong Merchants and linguists

to

to enjoin upon him these commands,—that it is henceforth imperative on him, when coming to Canton, to manage affairs, to conform himself to the existing regulations applicable to chief supercargoes,—that he is to be held responsible for the careful control of affairs,—that he must not overstep his duty and act improperly, and that, as regards his residence, sometimes at Macao and sometimes at Canton, he must in this also conform to the old regulations, nor can he be allowed to loiter beyond the proper period."

I, the Hoppo, on the receipt of the above, forthwith issue this edict. When this reaches the said Hong Merchants, let them in obedience hereto immediately to enjoin upon the said foreigner these commands, that it is henceforth imperative on him, when coming to Canton, to manage affairs, to conform himself to the existing regulations applicable to chief-supercargoes,—that he is to be held responsible for the careful control of affairs,—that he must not overstep his duty, and act improperly,—and that, as regards his residence, sometimes at Canton, and sometimes at Macao, he must in this also conform himself to the old regulations, nor can he be allowed to loiter beyond the proper period. Oppose not. A special edict.

Taoukwang, 17th year, 2d month, 12th day (18th March, 1837.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 97.

Captain Elliot to the Governor of Canton.

Macao, March 21, 1837.

THE Undersigned has had the honour to receive the signification of His Imperial Majesty's most gracious commands that he should be furnished with a passport to repair to the Provincial City and enter upon the performance of his duties.

The Undersigned respectfully assures his Excellency, that it is at once his duty and his anxious desire to conform in all things to the Imperial pleasure. And he will therefore heedfully attend to the points adverted to in the papers now before him.

The Undersigned has transmitted to the senior Hong Merchant a list of the persons attached to his suite, whose names he desires to be inserted in his passport. And he avails himself of this occasion to offer to his Excellency the Governor, the reiterated expression of his most respectful consideration.

(Signed) CHARLES ELLIOT.

No. 98.

Captain Elliot to Viscount Palmerston.—(Received November 13, 1837.)

My Lord, *Macao, March* 29, 1837.

I HAVE the honour to acquaint your Lordship that my passport has this day reached Macao, and I propose to embark for Canton on the 2d proximo, accompanied by the Second Superintendent, the Secretary, the Interpreter Mr. Morrison, and the Assistant Surgeon.

It is not my intention to detain Mr. Johnston in Canton beyond a few days, because the constant residence of one of the Superintendents at Macao is necessary, for the purpose of conducting the business of British ships and subjects without the port, and also in the event of accidents here during my own absences at the Provincial City.

In case any casualty should happen to myself, it will be desirable, however, that Mr. Johnston's position as the second person in this Commission should have been made formally obvious to the Provincial Government, and it is upon this ground that he will accompany me on this occasion of my first official visit.

Mr. Colledge, the Surgeon, will remain at Macao. There are no facilities for the convenient treatment of patients in the confined and crowded factories, and therefore if any of the officers fall sick at Canton, it would always be necessary to remove them to this place. A still more urgent reason for leaving Mr. Colledge at Macao, is, that an extensive and highly useful infirmary established here, in which sick seamen and other indigent persons are received, would be deprived of the services of a medical officer whilst this gentleman were at Canton.

I believe, my Lord, it will be immediately plain to you, that Macao is in every respect the most suitable station for the Chapel and Clergyman in China. It is the usual dwelling-place of all the foreign families, and a Chapel is already rented and furnished here; I have, therefore, requested the Rev. Mr. Vachell to consider this place to be his permanent residence.

He will, however, visit Canton at convenient intervals and perform divine service in the Hall of the Superintendents' Office.

Mr. Gutzlaff, the Joint Interpreter, will also remain at Macao. Pressing occasions for the services of such an officer are frequently presenting themselves here. In any emergency of extensive correspondence with the Provincial Government, Mr. Gutzlaff will join me at Canton.

I have, &c.
(Signed) CHARLES ELLIOT.

No. 99.

Captain Elliot to Viscount Palmerston.—(*Received November* 13, 1837.)

My Lord, *Macao, April* 1, 1837.

BEFORE I proceed to Canton, I think it right to place your Lordship in possession of my own views upon the actual posture of circumstances connected with the public intercourse between His Majesty's Government and this Empire.

The Imperial edict which I have had the honour to transmit, is certainly a very formal and unequivocal recognition of my character as a British officer, appointed by the Government of my country, to manage its public concerns in these dominions. No attempt is made to evade the material distinction between my own position and that of the chief servant of the Company, or of any other foreign functionary hitherto permitted to reside here. The understanding that I cannot engage in trade, and that my business is purely public, is plainly expressed.

Upon

Upon the side of His Majesty's Government then, my Lord, it appears to me, that no condition is wanting to give to the representations of its agent here, a complete formal character. They are the communications of a foreign officer recognised by the Emperor, addressed to the head of the Provincial Government, and they reach his Excellency's hands in a sealed shape.

As respects the communications of the Government intended for me, the state of the case is very different. They are not addressed to me at all: they speak of me, not to me. They are injunctions to persons with whom, in the admission of the Emperor, I have no congeniality of pursuit, and who, therefore, in common sense, ought to have no public relations with me.

To the extent that the employment of the Hong merchant, as a channel for the conveyance of direct sealed communications to the Governor, commits me to receive by the same hand direct sealed communications from the Governor, the analogy, indeed, is a sound one, and I could offer no objection to practice founded upon it. But the use of the Hong merchant, as a letter-bearer to the Governor, certainly carries with it no acquiescence in the doctrine, that the Governor's orders addressed to that individual are binding upon me.

As it is at present, I am entitled to consider that the Governor's communications in respect to me reach me in the form of no more than highly credible information. And when no public inconvenience, or grave personal responsibility is to be incurred by shaping my proceedings upon knowledge thus acquired, I hope your Lordship will be of opinion that I shall only manifest a proper respect to these authorities by conforming to their understood wishes, notwithstanding the indirectness of their signification. But as a constant principle, it appears to be clear that my obligations of conformity to the pleasure of this Government, or of any notice of it, are justly limited by the rule, that it should be directly and formally signified to me.

It is not for me to dictate a mode of intercourse to the Chinese Government with an officer of a foreign nation—and, indeed, I have a strong impression that events will soon open their own eyes to the unsuitableness and inefficacy of the present course, for their own purposes.

When his Excellency finds me incommunicable upon points on which he desires to communicate with me, (for to receive papers addressed to the Hong merchants, in my judgment, by no means commits me to acknowledge them in other papers, addressed to the Governor,) I imagine his Excellency will set about to seek what these obstacles are, and how they may be conveniently and quietly set aside.

His Excellency, it may be suggested in some such conjuncture, receives my communications in a sealed shape addressed directly to himself, a practice with which I am perfectly satisfied; and if he thinks fit to forward his own, direct to me in the same wise, I could no longer presume to question the perfect formal sufficiency of such a manner of intercourse.

There were many subjects upon which his Excellency communicated with the Hong merchants, that I could not venture publicly to notice, except his pleasure were signified to me in a direct form, or through a responsible officer of the empire of respectable rank specially deputed for the purpose of carrying on the public intercourse with me. Under present circumstances, his Excellency's views only reached my knowledge as they did that of all foreign private individuals—that is to say, at second hand, and as an individual, they should always have my most respectful attention. But as an officer, my responsiblity was serious, and I was precluded from dealing with them officially, unless I had a direct public warrant for my proceedings.

The Hong merchants are men unacquainted with public affairs, and naturally swayed by their private interests, and therefore with no culpable intentions, their liability to mistakes and misconception is considerable. The consequences of such errors might be too fatal to permit me to waver from my just claim to be placed in direct possession of the wishes of this Government, whenever it was expected I should take public notice of them, committing the public interests of my country.

The Emperor had already been graciously pleased to acknowledge my official character; and his Imperial Majesty, in his wisdom, would also recognise the reasonableness of these objections and requests, founded upon my duty to my own Government, and upon an anxious desire to obviate the risk of very hazardous misunderstandings.

With this course of representation put forward at a favourable opportunity, and in the most deferential language, I see no reason to despair of carrying the required modification in the mode of conducting my official intercourse with the Provincial Government.

I will conclude this despatch, by observing that in my own humble opinion, the actual manner of communication from us to the Chinese is sufficiently formal and complete for all our purposes. From them to us, and for their objects, it is defective. I can assure your Lordship that this is a condition of circumstances far less inconvenient to his Majesty's Government than to the Provincial authorities. The defect, however, is of their own creation, and the remedy is in their own hands.

I have, &c.,
(Signed) CHARLES ELLIOT.

No. 100.

Captain Elliot to Viscount Palmerston.—(Received October 9, 1837.)

My Lord, *Canton, April 27, 1837.*

THE inclosed papers involve a formal declaration of considerable importance which we have succeeded in drawing from the Governor since our arrival in Canton, on the 12th instant; viz., the clear right to forward our addresses to his Excellency in a sealed shape, and without previous communication upon the subject of their contents to any persons whatever.

It is desirable on many accounts that the circumstances under which this admission has been made, should be fully submitted to your Lordship's knowledge.

A few days before my departure from Macao for Canton, I received a letter from the Government at Singapore, acquainting me, that an English ship from this port, bound to England, had succeeded in rescuing seventeen Chinese from a sinking junk; that these persons had been landed at Pulo Aor; that arrangements had been made with the Malay Chief there, to convey them to Singapore; and finally, that they had arrived in safety at that place.

It occurred to me that the communication of this gratifying intelligence might be made subservient to the purpose of gradually accustoming his Excellency, to recognise the distinction between my own station and that of the Foreign Commercial Agents in this country. In other words, I hoped it would ensure a courteous answer to my address officially announcing my arrival at Canton.

With that intention, the Inclosure No. 1 was transmitted to his Excellency, so as to reach his hands about a day before my own arrival in Canton, in order that there might be no time to reply to it, till the Inclosure No. 2 were already in his possession.

Several days passed without any notice of either of these Inclosures, but on the 16th, I received a reply to the first, and in the afternoon of the 20th, I was furnished with the Inclosure No. 4.

Your Lordship will observe from this last paper, that his Excellency had taken offence, or, perhaps, I might more justly say, had taken alarm, at my attempts (guarded and respectful though they were) to establish the official character of my station.

I perceived, however, with the greatest satisfaction, that his manner of repelling these advances had not been carefully measured, and that his Excellency had hastily placed himself in an unsound position, which it would have been very hazardous to maintain.

He

He is pleased to command in the Inclosure No. 4, that the merchants must carefully pause and examine my papers before they are closed; and, indeed, that they are not to present them if they contain language or propositions inconsistent with the dignity of this Empire. Now, in the case of papers transmitted by the chief servants of the Company, though I am not aware the principle had ever been formally and specifically conceded, still it had long been practically admitted, that the merchants had no pretension to meddle with them.

But at all events, situated as I am, the first Foreign Officer who has ever resided in Canton under the Imperial Authority itself, I saw at once that the Governor's attempt to press such an extreme and obsolete rule in the case of papers coming from me, was a mistake of considerable magnitude. If the communications were interrupted upon those grounds, it was plain that the heaviest burden of responsibility from either Government would devolve upon his Excellency,—not upon me.

With the conviction then, that his Excellency had been too abrupt in this respect, and sensible of the unsuitableness of giving way upon such a point, I sent, in the course of the afternoon of the day that the edict reached me, for Howqua, the senior Hong merchant; and I desired the messenger to let him know that my business was of urgent importance, and that if he were not with me in one hour, it would be unnecessary to give himself the trouble to come at all. That my communication should be conveyed to his Excellency through another channel, and I would leave Canton in a few hours.

Your Lordship is probably aware that this very remarkable man, has for many years been the senior Hong merchant, and, indeed, the adviser and main agent of the Government, in all its public concerns with the foreigners.

He had not visited me since my arrival in Canton, neither had I thought it desirable to encourage him to do so, or to hold any intercourse whatever with the Hong merchants.

Within the time fixed, Howqua came to me in the Hall, and I told him civilly, that I did not dare to accept such an edict as he had that day forwarded to me, and that I should therefore return it to him immediately.

He entreated me not to pursue any instant course of that kind, and begged with the most marked and painful anxiety that I would explain to him the particular grounds upon which I objected to receive this paper.

I assured him that it was far from my wish to involve him in any difficulties with his own Government; and in order to save him harmless as much as in me lay, I would detain the edict till the day after the next, at eleven o'clock, when he would be so good as to return to me again and receive it, as well as a written declaration explanatory of my reasons for declining to take it, and of the other steps which his Excellency's proceedings had forced upon me.

On the 22nd instant, at eleven o'clock, Howqua came to me again, and I then signed the Inclosure No. 5, in his presence, and delivered it to him, together with the Governor's edict No. 4.

I announced to him also, that I did not in the least desire to hurry his Excellency, but if this matter were not satisfactorily adjusted by the 26th instant, at twelve o'clock at night, I should leave Canton.

It was possible it might be thought desirable that I should go down inside, (that is to say, by the passage, requiring a Passport.) I, therefore, told Howqua it should not be refused if one were sent to me; but it must be understood that I was content with the outer passage, and would by no means ask for a Passport, or wait beyond the fixed time. He requested me, however, so earnestly to stay two days longer, that I deferred the period of my contingent departure till the 28th instant, at midnight.

In the course of these visits I studiously abstained from acceding to Howqua's eager desire, that I would propose some modification for the Governor's consideration. But in my mind, there is always considerable advantage in leaving as much as possible to the Chinese authorities, the unaided task of devising practicable modes of escape from complications which they have themselves created. It appears to be better to say what cannot be done, than what can; for, to furnish them with schemes will, generally speaking, be to provide

them with the means of detecting what is particularly wanted, and with the manner of most adroitly baffling such objects.

To all the attempts of Howqua, therefore, to discover what would best answer my own purposes, I thought it safest to reply, that the Governor was a high and a wise officer, and that it was not for me to presume to suggest any course of action for his Excellency's adoption.

My own humble duty was fulfilled, when I had explained to him what I could not do.

In the course of the 24th instant, Howqua came to me and said, that the Governor had declared it was wholly out of his power to communicate with me directly. But his Excellency admitted that my objections were well founded, to any intervention of the merchants, in respect to my papers, except only to convey them to him, closed up. And he was, therefore, willing to forward me an edict, clearly conceding my right always to communicate directly with him, under sealed covers.

His Excellency, too, seeing that I was an officer, would address his replies, intended for me, to the three senior Hong merchants, who held honorary official rank, and not to the whole Co-Hong.

Howqua desired to know whether I could accept of this modification.

I replied, it must depend entirely upon the language in which an edict, containing such conditions, were couched. If that were in the least degree disrepectful to my Government, or at all equivocal upon the point of my right to direct sealed communications with his Excellency, it should be returned, and I would leave Canton.

Late in the night, on the 25th instant, the Inclosure No. 6 was brought to me, and, under all the circumstances of the case, I have determined not to reject these overtures. But it is my purpose to reply in terms which will leave the determination of the direct intercourse from his Excellency to myself, an open point, and subject to the further instructions of my own Government.

Upon the whole, I trust that this course will not incur your Lordship's disapprobation. The very grave responsibility of the high functionaries of this despotic Government, is a consideration that I am sure your Lordship will not wish should be lightly estimated by a person in my station. And though I felt it right to attempt the concession of the direct intercourse from the Governor on this occasion, the result has certainly not deceived me. Neither can I doubt that an obstinate adherence to the demand would have ended in disappointment, and probably in considerable public inconvenience.

Most peculiarly, my Lord, is every subject connected with the official intercourse with British functionaries, a source of the keenest watchfulness; and concessions, of which this suspicious Court could not easily be made to perceive the immediate necessity, would be almost certain to draw down most serious consequences upon the head of that functionary by whom they were made.

I felt, then, that further attempts of this kind in the early stages of my career, had better be avoided. They would, possibly, drive his Excellency into a perverse mood, compounded of well-founded dread of his own Government,—of groundless suspicions of His Majesty's,—of national conceit, of extravagant official assumption; and it may very well be of some needful deference to the prejudices of his own countrymen. A condition of temper, in short, calculated to provoke a refusal of all reasonable terms of accommodation, and, therefore, of all hope of quietly accomplishing further concessions.

It was to be borne in mind, that if his Excellency had hurried into a false position, he had not been slow to escape from it, and the unusually moderate tone of his last edict, (No. 6,) might have made it easy to remove all imputation of unreasonable impracticability from himself upon me. I believe, my Lord, I may say of that paper, that it is the most courteous in point of language, and the most yielding in substance, which has ever fallen from the Provincial Government upon the subject of official communication. For example, in the case of a letter from the Governor-General of India, delivered by Captain Freemantle, in the year 1831, it was found impossible to induce the Tsng-tuh to return a direct answer, or to notice it in any other way, than through the ordinary means of an edict, addressed to the Hong merchants, for communication to the select committee.

There remained for me to weigh the great usefulness of continued responsible communications, the propriety of leaving to his Majesty's Government, as much as possible, the disposal of all points which may arise, involving any interruption of them,—the desirableness of refraining from an early excitement of his Excellency's suspicion or disinclination towards me, and the advantages of proving that our objects are moderate, by a prompt acceptance of temperate concessions.

I anxiously hope, my Lord, that these considerations will be thought to be of sufficient force to justify the conduct I have pursued, and that it will not be displeasing to His Majesty's Government.

Less of firmness in the first stage of this affair might have subjected me to continued indignity, and continued invasion of recognised practice;—an obstinate adherence to the new proposition might have deprived His Majesty's Government of natural means to advance, and a favovrable state of circumstances for the peaceful attainment of far more useful concessions than any that I can hope to secure without further countenance or interposition from England.

It is satisfactory to me to add, that Mr. Johnston has fully coincided with me throughout this transaction.

I have, &c.
(Signed) CHARLES ELLIOT.

P.S.—The protracted departure of the ship which carries this despatch enables me to transmit a copy of the note I have addressed to the Governor, in reply to his last edict.

Inclosure 1 in No. 100.

Captain Elliot to the Governor of Canton.

Macao, April 8, 1837.

THE Undersigned has the honour to acquaint your Excellency, that he has received despatches from the Government of Singapore, informing him that seventeen natives of China had arrived there in January last, from a place called Pulo Aor.

The chief of these persons represents, that he is an officer of this Empire, and that the vessel in which they were embarked was carrying grain from one port to another, when she was overtaken by a violent tempest, and blown off the coast.

The vessel was reduced to a condition of extreme peril in the high seas, and six of the unfortunate men had already sunk under the effect of cold and privation, when the English ship of Moncrieff bound from Canton to England, came up with her.

This Commander with becoming humanity took the people out of the wreck under circumstances of great difficulty, and left them at Pulo Aor, having made arrangements with the native chief there, to convey them to Singapore.

It is a pleasing duty to the Undersigned on this occasion to acknowledge in grateful terms, the many acts of kindness which his own shipwrecked countrymen have experienced on the coast of China.

The interchange of these charities cannot fail to strengthen the bonds of peace and good-will between the two nations.

The Undersigned avails himself of this occasion to renew to your Excellency the sentiments of his high respect.

(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 101.

Captain Elliot to the Governor of Canton.

Canton, April 12, 1837.

THE Undersigned has the honour to announce to your Excellency his arrival at Canton, for the performance of his public duties agreeably to the authority contained in an Imperial edict.

The Undersigned takes the liberty respectfully to observe to your Excellency that it is customary for officers of his nation, on their arrival in the chief city of the country where they are to perform their official duties, to propose to have the honour of paying their personal respects to the chief authority.

The Undersigned believes this practice is also consonant with the customs of this Empire, and it will afford him great satisfaction to offer such a proof of respect whenever your Excellency shall think fit to receive him and his suite.

The Undersigned avails himself of this opportunity to renew to your Excellency the sentiments of his high respect.

(Signed) CHARLES ELLIOT.

Inclosure 3 in No. 100.

The Governor of Canton to the Hong Merchants.

TANG, Governor of Kwangtung and Kwangse, &c., issues this order to the senior Hong Merchants, requiring their full acquaintance therewith.

On the 12th instant the English Superintendent of British merchants trading in China, Elliot, presented the following address:—

[*Here is inserted the foregoing Document.*]

This coming before me, the Governor, I have examined it, and find that certain natives of China—military officers, soldiers, passengers, and seamen, proceeding from Formosa, encountered off the Pescador Islands a tempest, which drove them to the English island of Pulo Aor; that a vessel of the said nation, commanded by Moncrieff, saved 17 persons, and delivered them over to the foreign chief at Singapore, by whom information thereof has been sent to the said Superintendent, and he has reported the same. The dutifulness herein manifested is worthy of commendation.

I have not, however, as yet received from the Government of Fuhkeen any communication respecting the loss of any rice-laden Government vessel in consequence of storms on the voyage from Formosa. But, having received the preceding report, I have directed the financial Commissioner of this province to send a statement to the above effect to the Governor of Fuhkeen and Chekeang, requesting him to examine respecting the facts, and write me in answer. And when the said shipwrecked officers, soldiers, and people are sent back to Canton from the said nation, I will direct my subordinate officers to send them on, according to law, to Fuhkeen. I further issue this order on the subject. When it reaches the said Hong merchants, let them immediately enjoin it on the said Superintendent, that he knowing it may act accordingly. Oppose not. This is the order.

Taoukwang, 17th year, 3d month, 9th day (April 13th, 1837.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 4 in No. 100.

Edict of the Governor of Canton to the Hong Merchants.

April 19, 1837.

TANG, Governor of Kwangtung and Kwangse, &c., &c., issues this order, requiring obedience.

On

On the 12th instant, the English Superintendent Elliot reported, that a vessel, with officers and people of Formosa, having encountered a gale off the Pescador Islands, was driven to Pulo Aor, within the dominions of the said nation; that the persons on board were rescued; and that the foreign chief at Singapore had informed the said Superintendent of the circumstance, in order that he might report the same. On the receipt of this report, I, the Governor, communicated the subject in the proper quarters, and also commanded the senior Hong Merchants to enjoin orders on the said Superintendent, that he knowing the same, might act accordingly.

But for all—for those without as well as those within the pale of the Empire—there are rules and bonds of action, styles and modes of expression, becoming that dignity which has so long been respected. To the renovating principles for so long a period emanating from our Empire, the barbarians on every side have submitted themselves. They have tendered to the Celestial Empire their respectful services, and this Empire stands in truth at the head of the lands at its remotest borders, in no other character than that of a ruler amid ministering servants. As to foreign merchants, permission is granted them to trade and to export, and thus is bestowed on them the means of obtaining profit. And in regard to those in distress, they are rescued from their distresses, and with needful gifts are sent back. These things arise solely from the all-pervading goodness, and cherishing kindness of the Great Emperor, whose favours are constant and universal. Between him and the small, the petty, how can there exist anything like "bonds of peace and good-will?"

The said Superintendent, in his address on this occasion, has failed altogether to conform himself to the old rules, has omitted the respectful expression, "Celestial Empire," and has absurdly used such words and expressions as "Your honourable country," and "peace and good-will between the two nations," giving utterance to his own puffed-up imaginations. Not only is this offensive to the dignity to be maintained, but also the ideas therein expressed are absurd and ridiculous. At the time, I, the Governor, on account of the dutiful nature of the thing reported, and because the said Superintendent, having but newly come to Canton, is perhaps uninformed on many matters, viewed his address indulgently and in a partial light, and manifested vastness of liberality. Therefore I refrained from plainly correcting him, and from casting back to him his address. But the said Superintendent having come to Canton for the purpose of controlling the merchants and seamen, he cannot avoid having from time to time addresses to make. And if not forewarned, it will be impossible to insure that he will not, by continued ignorance and blindness, fall into some grave error. This then would not be the way to preserve uninjured the concerns of the foreigners.

I therefore issue this order to the senior Hong merchants, requiring them immediately to enjoin it on the said Superintendent Elliot, that he may act in obedience to it. In whatever addresses he may have to present, he is absolutely required to conform implicitly to all that is called for by the dignity of the Celestial Empire. He must be careful to render his expressions thoroughly respectful, in order that appropriate commands may be given in reply. Let him not again step into any path opposed to the dignity of the Empire, and so tread in a course of still greater error.

The senior Hong merchants, whenever the said Superintendent, or a foreign merchant of any nation, presents an address on any subject, are required to give it a previous close and careful perusal, and if there be in it any thing, as in this instance, inconsistent with the perfect dignity to be maintained, or any similar loose and crude phraseology, they are immediately to send back the address;—they must not have the audacity to present it for the party, by doing which they will involve themselves with such party in a severe investigation.

I, the Governor, having spoken, the law shall follow up what I say. Let all then listen with trembling attention. Oppose not these commands.

Taoukwang, 17th year, 3d month, 15th day (April 19th, 1837.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 5 in No. 100.

Captain Elliot to the Governor of Canton.

Canton, April 22, 1837.

ON the 20th instant, the Undersigned, &c., &c., received a communication from the Hong merchants, concerning an edict from the Governor, addressed to them, dated on the 19th instant.

In his Excellency's edict to the Hong merchants, he is pleased to command the senior of their body to give all the addresses, which it may be the duty of the Undersigned to submit, a close and careful perusal, before they present them to his Excellency. And if they shall not approve of the language, not to dare to present them, but immediately to send them back.

The Undersigned cannot presume to question the perfect authority of his Excellency to issue any orders, couched in any terms which he may think fit, to the Hong merchants.

But the Undersigned is a Foreign Officer, and not a merchant, and he must take the liberty respectfully to declare, that it is impossible for him to submit his addresses to the Governor, to the knowledge or approbation of the Hong merchants, before they are forwarded.

In the present posture of circumstances, therefore, the Undersigned must cease to forward any further addresses to his Excellency. And it is at the same time his duty to add, that in future he can only receive such official communications, sealed with his Excellency's seal, as his Excellency shall be pleased to address directly to himself, and not to the Hong merchants.

To direct sealed communications from that high quarter, it must always be the duty and the earnest effort of the Undersigned, to give the most respectful and zealous attention.

The terms of his Excellency's last edict to the Hong merchants, and the instructions which the Undersigned has now received from his own Government, constrain him to say, that he cannot deviate from his present determination, without drawing down certain ruin upon his own head.

The exalted public station of his Excellency, and his experience in affairs, render it needless for the Undersigned to press upon the rule, that an officer's obligations of duty to his own Government are sacred, and must be fulfilled.

(Signed) CHARLES ELLIOT.

Inclosure 6 in No. 100.

The Governor of Canton to the Hong Merchants.

TANG, Governor of Kwangtung and Kwangse, &c., in reference to a matter that has been submitted.

On the 23rd of April, the Hong merchants presented the following address:—

"The English Superintendent Elliot, has handed to us the subjoined paper [*Here is inserted the foregoing Document*], and has requested us to represent for him the above particulars. As behoves us, we forthwith submit for him the above particulars, humbly awaiting your Excellency's commands, which shall be fully obeyed."

Upon the receipt of this, I the Governor have examined into the matter referred to. I find that the said Superintendent, having newly come to Canton, and being in consequence unacquainted with the rules of dignity in the Celestial Empire, made use, in his former address, of expressions not altogether proper; which led me, the Governor, to send to him commands of a special nature, making known to him the prohibitions and requirements, and thus preserving him from error.

Now

Now the above representation having been laid before me by the said merchants, I perceive that the said Superintendent is able to understand the duties of faithfulness and respectful attention, and that he will not indulge the slightest desire to act contrary to the requirements of dignity; that he is indeed dutifully disposed. Hereafter, whenever he may have occasion to address me on any subject, the said Superintendent is permitted to seal his addresses, and so deliver them to the senior merchants, Woo Shaoyung, Loo Kekwang, and Pwan Shaokwang [Howqua, Mowqua, and Poukequa], to present for him. As regards the subject matter of his addresses, and the nature of the expressions adopted, it will not be difficult for me the Governor, myself to distinguish them, and act in reference to them. But with respect to commands issued by me, the Governor, to the foreigners from without the Empire, requiring their obedience in any matter, the established rule of the Celestial Empire is, always to address them to the said senior Hong merchants, to be enjoined by them; and this rule it is inexpedient to alter.

On a review of the particulars contained in the above address, I forthwith issue this order. When it reaches the said senior merchants, let them immediately enjoin it on the said Superintendent, that he, having knowledge thereof, may act accordingly. Oppose not these commands.

Taoukwang, 17th year, 3d month, 21st day (April 25th, 1837).

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 7 in No. 100.

Captain Elliot to the Governor of Canton.

Canton, April 27, 1837.

THE Undersigned, &c., &c., has had the honour to receive an edict from your Excellency, addressed to the three senior Hong Merchants, dated on the 25th instant, for communication to him.

He begs to offer your Excellency his respectful thanks for the commands that his addresses shall always be transmitted to your Excellency's hands, by the three senior Hong Merchants, in a sealed form.

Your Excellency, however, an illustrious officer in a very high station, has been pleased to signify that the customs of the empire prevent a direct communication of your commands to the Undersigned.

Under these circumstances, he has bent his most earnest attention to the course which it becomes him to pursue. And he is humbly of opinion, that he shall best evince his profound respect for the rules of this empire, by continuing to carry on the communications in the manner prescribed by your Excellency, until he can receive the further commands of his own Government.

The Undersigned avails himself of this occasion to renew to your Excellency the sentiments of his highest consideration.

(signed) CHARLES ELLIOT.

No. 101.

Captain Elliot to Viscount Palmerston.—(Received February 2, 1838.)

My Lord, *Canton, May 24, 1837.*

In connexion with the subject of my Despatch of the 27th ult., I have now the honour to transmit an Edict from the Governor of the Two Provinces in reply to the note, Inclosure No. 7 of that communication.

His Excellency's declaration of the hopelessness of further change in this respect is principally of importance as a record, that he clearly apprehends the temporary conditions upon which the actual intercourse is maintained.

But, my Lord, whilst there is very little doubt that His Majesty's Government might find it practicable to carry the required modification without an absolute rupture, still it is to be considered that, to this Government, and in this state of society, ceremonious customs are probably grave realities, the political moment of which we are unable to estimate. At all events, it is certain that this point is not to be attained by formal concession without inducing sentiments of great mortification; and the first occasion of direct intercourse would possibly furnish unpalatable proof that idle pretensions of superiority had only been offensively exaggerated by irritated feeling.

Upon the whole, perhaps, your Lordship may be led to think that there can be no advantage in wringing a change of practice in this respect from the Chinese Government. And I would submit that, if the actual manner of the intercourse (direct with the Governor—indirect from him) be not best suited to the condition of circumstances in this country, at least, its further modification had better be left to time and favourable opportunities.

The speediest possible extension of commercial relations with China, which may be consistent with the uninterrupted maintenance of the existing trade, must no doubt be a subject of great interest to his Majesty's Government.

In the furtherance of that end, I would presume to say, that some degree of watchful countenance and support in our neighbourhood is of primary importance; but, on the other hand, I am sure the King's officers upon the spot can hardly be too strictly instructed to avoid the needless agitation of points of form, and to use the utmost diligence in the conciliation both of the authorities and the people.

Your Lordship may be assured, that a main obstacle to the freer intercourse between the high provincial functionaries and the foreigners has hitherto been some strong feeling of apprehension, upon the part of these officers, that it exposed them to considerable risk of insult in the sight of their own people.

But in the state of things I advert to, anxious to inquire and observe, and without apprehension of contumelious treatment, I believe they would soon draw towards us in a tractable spirit; and I see no reason to doubt, that the progress of improvement would be at once rapid and safe.

I have, &c.

(signed) CHARLES ELLIOT.

Inclosure in No. 101.

The Governor af Canton to the Hong Merchants.

TANG, Governor of the two Provinces, &c., issues these commands to the senior Hong merchants, requiring their full acquaintance therewith.

On the 29th of April, the following address from the English Superintendent Elliot was laid before me.

[*Here is inserted Captain Elliot's Address to the Governor, of April 27, 1837.*]

This address coming before me, I the Governor have perused the document, and fully informed myself of its contents.

As to my commands, which I the Governor may have to give, such commands have hitherto been enjoined and inculcated through the medium of the

senior

senior Hong merchants. This concerns the settled dignity of the Celestial Empire; and the said nation, in its up-gazing contemplation of the majesty and benignity of the empire, will assuredly indulge no foolish expectations of change. Let obedience be at once paid in this matter, as is agreeable to the duty of the said Superintendent's office.

The above address being fully authenticated, I forthwith issue these commands to the said senior Hong merchants, Howqua and Mowqua. Let them immediately enjoin the commands on the said Superintendent, that he, knowing the same, may act accordingly. Oppose not these commands.

Taoukwang, 17th year, 3rd month, 27th day (1st May, 1837.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 102.

Captain Elliot to John Backhouse, Esq.—(*Received February* 2, 1838.)

Sir, *Canton, June* 2, 1837.

IT had always been the custom that the chief servants of the Company should remove to Macao upon a passport during the inactive season of the year. And when the arrangements were made, in consequence of which I am now at Canton, it was agreed that I should conform in this respect to the old practice.

I was sensible, however, at the time, that if any sudden emergency should present itself during the period of the annual retirement at Macao, there was considerable inconvenience in being obliged to wait till a passport could be forwarded from Canton, and I could proceed up in the regular manner by the inner passage. Such a necessity would usually entail a delay of at least ten days.

But I was apprehensive, that if this point had been pressed at that moment, I should awaken the suspicions of the Government, and risk the success of the main object in view. And it seemed, too, that there would be no great difficulty in placing this and other matters on a better footing, when the early temper of watchfulness had in some degree subsided.

After I had been, then, about three weeks in Canton, I thought it would be judicious to anticipate any disquietude, upon the part of the Governor, as to my disposition, in his own language, to sit fast, by applying at once for a passport to retire to Macao; a course which was the more natural, as the usual period for departure had already passed. I left Canton, however, with the purpose to seize the first favourable occasion for a return by the outer passage.

In a few days there reached me a communication from a Commander of a ship at Whampoa, complaining that his seamen were disorderly: and perceiving that this was a description of case which might be made to sustain the application I meditated, I lost no time in coming up to Canton in the cutter. It may be proper to add that she had not passed the Bocca Tigris since the events in 1834.

The Inclosures No. 1 and 2 will place you in possession of the very satisfactory results to which these proceedings have led.

His Excellency's Edict, you will permit me to observe, is very deserving of attention. It formally places me on a different footing from any foreigner who has ever yet resided in this country, and the concession is vindicated by the adoption of my own reasoning; by the plain admission, in fact, that the unmixed official character of my station warrants and requires the relaxation.

It is valuable too, in other respects, for though it is not impossible that I might have come up and remained here for a season, during the period of the customary retirement at Macao, without interference upon the part of the Government, still I am sure it will be felt that my unauthorized presence at Canton would have been an unsuitable state of things.

In concluding this despatch I venture to offer my humble opinion (strengthening by every day's experience in the country), that there is an increasing

disposition upon the part of the Chinese Government to conciliate that of his Majesty. And I hope it will be thought that my own measures and respectful approaches have, in some sense, served to encourage this spirit of accommodation.

I have, &c.,

(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 102.

Captain Elliot to the Governor of Canton.

Canton, May 25, 1837.

THE Undersigned has the honour respectfully to represent to your Excellency that sudden and urgent occasions for his immediate presence in the provincial city frequently occur, during the period of his customary annual retirement at Macao, both for the dispatch of public business and the quelling of disturbances on board the English shipping at Whampoa.

The delay at Macao till a chop can be forwarded is often very considerable, and in most cases at least ten days would elapse before the undersigned could arrive at Canton.

The risk and the inconvenience of this state of things will be plain to your Excellency, and the Undersigned therefore takes the liberty earnestly to request that your Excellency, bearing in mind that he is an officer, and not a merchant, will be pleased to permit him to repair to Canton in his own boat whenever these sudden necessities present themselves. He would not fail to report the period of his arrival and departure.

This facility for the performance of his duties would be very acceptable to the Government of his country, and it would afford another proof of the considerate wisdom which has always distinguished your Excellency's administration.

The Undersigned avails himself of this occasion to renew to your Excellency the sentiments of his highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 102.

The Governor of Canton to Captain Elliot.

TANG, Governor of the provinces Kwangtung and Kwangse, &c., &c. issues these commands to the senior Hong merchants, requiring them to be fully informed thereon.

The English Superintendent Elliot has presented the following address:

[*Here is inserted the foregoing document.*]

This having been received and authenticated, I the Governor have examined the subject. The said Superintendent's official duties consisting in the particular control of the merchants and seamen, it is of course right that, whenever any troubles arise among these classes, he should immediately proceed faithfully to investigate and settle them. The said Superintendent's present representation, "that if, during the period of his stay at Macao he should have affairs to attend to at Canton or Whampoa, he fears that to be required always to wait till his application for a passport is answered will be productive of injurious delays," is a correct statement of the matter, and it is my duty to permit him from time to time, as business may occur, to come up and go down in an European boat, not making it necessary to apply for a passport.

On every occasion before the said Superintendent leaves Macao, and after he returns, it will be his duty to report clearly to the sub-prefect at Macao the circumstance and the time, in order that that officer may report the same to myself and the Superintendent of Maritime Customs, severally, for the sake of thorough precision.

Besides communicating to the Superintendent of Maritime Customs the matter of the above address, I also forthwith issue these commands to the said senior

senior Hong merchants, Howqua, Mowqua, and Ponkequa, that they may immediately enjoin them on the said Superintendent, to be obeyed by him. But he must keep his station, and diligently attend to his official duties. I, the Governor, rule affairs with justice, and firmly maintain the laws, nor in the management of public business can I allow of any false pretences. Let him, on no account presume, when without business, to frame pretexts for moving, lest he draw on himself investigation. This is important. Be carefully attentive. These are my commands.

Taoukwang, 17th year, 4th month, 28th day (1st June, 1837.)

Translated from the Chinese.

(Signed) J. Robert Morrison,
Chinese Secretary and Interpreter.

No. 103.

Captain Elliot to John Backhouse, Esq.—(Received February 2, 1838.)

Extract. *Macao, July 3, 1837.*

AN eligible mode of disposing of them [*some shipwrecked natives of Japan,*] has, however, presented itself, of which I have gladly availed myself.

Mr. Gutzlaff informs me that an American vessel is about to proceed from hence on a voyage of investigation to the Loochoo's, the Corean Peninsula, and the Coasts of Japan; and he has requested my leave to join this expedition. A passage has also been offered for the Japanese under our care, and it may be proper to add, that several other shipwrecked natives of that Country, lately arrived here from Manilla, are to proceed by the same opportunity.

The Inclosure No. 3, is a Letter to the Honourable the Vice-Admiral Commanding in Chief, covering a Communication to Captain Quin, of His Majesty's Sloop *Raleigh*, and these papers will make you acquainted with the nature of the Service upon which that vessel is actually employed.

They will also explain that Captain Quin has undertaken to forward my views with respect to the Japanese by calling at Napakiang, in the Great Loochoo, on his way to the Bonin Islands, for the purpose of enabling Mr. Gutzlaff to meet the American vessel.

The Inclosure No. 4, is a Letter I have addressed to Mr. Gutzlaff, with respect to the disposal of the Japanese.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 103.

Mr. Gutzlaff to Captain Elliot.

Sir, *Macao, June 20, 1837.*

MR. King, an American merchant resident at Canton, has requested me to go on board one of his vessels, which is to visit Japan and the adjacent Countries in order to act as Interpreter. As this will likely prove a very interesting voyage and may be the means of gaining important information about those unknown regions, I take the liberty of asking leave in order to accompany this expedition. I shall be happy to communicate to you the result of our investigation and researches, and humbly trust that you will kindly grant me leave of absence, whilst

I remain, &c.,
(Signed) CH. GUTZLAFF.

Inclosure 2 in No. 103.

Captain Elliot to Mr. Gutzlaff.

Sir, *Macao, June* 21, 1837.

MY letter of this day's date to Captain Quin, of His Majesty's Ship *Raleigh*, which has been communicated to you, will have placed you in possession of the nature and objects of the duty I have now to impose upon you.

Conscious of your talents, and attainments, and relying with great confidence upon your zealous desire to apply them to the Public Service, I am relieved of all necessity of furnishing you with detailed Instructions.

After the completion of this service, I feel myself called upon to grant you the leave of absence you have requested, and Captain Quin has been so good as to undertake to convey you to Napakiang for the purpose of meeting the vessel on which you propose to embark.

A separate letter upon the subject of the Japanese fishermen entrusted to your care shall be addressed to you.

I am to request you will keep a minute of any conferences in which you may be engaged with the Mandarins in Fuhkeën, or with the Authorities at the Loochoo's. And I would also hope that you will note for the information of his Majesty's Government any circumstances of general interest connected with the condition of the Countries which you may chance to visit during your absence.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 3 in No. 103.

Captain Elliot to Vice-Admiral Sir T. Bladen Capel.

Sir, *Macao, June* 26, 1837.

AN opportunity for Madras affords me an occasion to acknowledge the honour of your Despatch of the 3rd May, this day received.

I now beg leave to acquaint you that His Majesty's Sloop *Raleigh* sailed on the 23rd instant, in prosecution of a service explained in the accompanying papers, and I trust it will appear to you that it is of a character which I might properly solicit Captain Quin to perform.

It is necessary to explain the purpose of requesting Captain Quin to call at Napakiang.

I have lately received directions from His Majesty's Government to let three shipwrecked Japanese fishermen, who have long been supported at the charge of the Establishment, return to their own country in a Chinese junk; but upon full inquiry, I find it impossible to carry those Instructions into effect; so great is the uneasiness of the Chinese Traders resorting to Japan as to the excitement of suspicious irritation in that Country; and there is no trade between China and Japan in Japanese junks.

Between Napakiang and Japan, however, there is a considerable trade carried on in Japanese junks. And before the arrival of the *Raleigh*, the Reverend Mr. Gutzlaff, Joint Interpreter on this Establishment, has requested my leave to join an American vessel proceeding from here on a voyage of scientific research to the Loochoo's, the Corean Peninsula, and probably to the Coasts of Japan.

The parties concerned had also offered me a passage for the Japanese; and my principal motive in acceding to Mr. Gutzlaff's request arose from the consideration that this project afforded the most hopeful opportunity of restoring the people to their own Country.

Considering it possible that they might be subject to strict investigation on their arrival in Japan, I thought it desirable that they should have had no connexion with a ship of war, and they will therefore proceed from hence to Napakiang

Napakiang in the course of a few days on board an American vessel. For the obliging purpose of enabling Mr. Gutzlaff to meet her, Captain Quin has undertaken to call there on his voyage to the Bonin Islands: and M. Gutzlaff will then dispose of the people, either by sending them on in a Japanese junk, or if no opportunity of that kind should present itself, he proposes to accompany them in the American vessel.

You may be assured, Sir, that I am sensible of the extreme impropriety of committing His Majesty's Government in any appearance of countenancing the illicit traffic on these Coasts; and I shall carefully abstain from moving the Commander of any Ship of War who may be placed in communication with me to take any step with that purpose, or which could possibly bear such a construction.

But in the critical posture of the Opium question, and having regard to its intimate connexion with the safe conduct of the whole commerce, I hope you will consider that I was justified in soliciting the presence of a man-of-war in these seas. I am sincerely impressed with a belief that such a circumstance will go far to prevent the occurrence of mischief, which would press in a very serious manner on all branches of this trade.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Sub-Inclosure in No. 103.

Captain Elliot to Captain Quin, R.N.

Sir, *Macao, June* 21, 1837.

THE disclosures which took place at Manila during your last visit at that port, have made you acquainted with all that is yet known of the disastrous fate of the late brig *Fairy*. And our recent conversation will have apprised you that fourteen Lascars landed upon the coasts of Fuhkeën, but the piratical part of the crew are still said to be detained in Foo-chow-foo, the capital of that province.

From all the inquiry I have been able to make, I am led to conclude that these men are kept by the Provincial Government of Fuhkeën, in consequence of a difficulty to understand, or to credit the circumstances under which they landed; and probably pending further instructions from the Court for their removal to this place.

It appears to me, however, that if an application were made by you at the mouth of the Min River, the doubts and delays of the Government of Fuhkeën would give way; and at all events, if the people were not at once delivered to you, this proceeding would, in my judgment, accelerate their dispatch to this place by other means.

With that impression, I have taken the liberty to propose this service; and in conformity with your wishes, I now submit the mode by which it occurs to me it may be best executed.

I would suggest that you should proceed to the mouth of the Min River, upon which the city of Foo-chow-foo is situated, taking with you the Rev. Mr. Gutzlaff, joint interpreter to this establishment. That upon your arrival at that destination, you should hand to the Commander of any man-of-war junk, or other servant of the Government who may wait upon you, the accompanying paper, Inclosure No. 1; and that your address to the Governor should be placed in the hands of any officer who may be deputed to receive it.

His Excellency will probably meet these advances with a declaration that the people are safe; that it is not in his power to deliver them to you; that they shall be dispatched to Canton forthwith; and finally, with a request that you should leave the coast immediately.

To a communication of this nature, I would advise that you should reply in the most conciliatory terms, signifying your indisposition to press any arrangements to which you were informed his Excellency could not accede, and

expressive of your entire confidence in his assurance of the safety of the people. If this communication from the Governor should be made verbally, that is to say, through an officer deputed to confer with you, as indeed it is probable it will, I would submit that you should request this functionary to commit the subject matter to writing, remarking, that you were ready to leave the coast as soon as that was done.

At this point of my letter, it is proper to observe to you, that I am without any uneasiness as to the safety of the people; but independently of hastening onwards the period of their release into our hands, this service appears to be calculated to help the uninterrupted progress of gradual relaxation at this place.

I believe that no circumstance would more impressively fix upon the local Government of these Provinces the necessity of great moderation and circumspection in respect to the treatment of foreigners, than the successful result of quiet official application by an Officer of the King at some other point than Canton; and more particularly at the chief city of the neighbouring Province of Fuhkeën, where it is known that the monopoly of the foreign trade at Canton is a subject of great jealousy.

The appearance of considerable eagerness for an early reply to your address, upon the ground that you were anxious to leave the coast, would probably remove all uneasiness about your intentions, and expedite a satisfactory and courteous answer. And I would beg you to bear in mind, that having effected a communication upon just pretexts, and in a deferential manner, you will have accomplished what appears to be the principal object of your mission; for, as has already been observed, there is no reason for solicitude as to the safety of the people.

Your former experience in this country, the cautious character of your instructions from the Commander-in-Chief, and your own sound judgment, would make it intrusive upon my part to do more than mention the necessity of extreme care in refraining from any proceedings likely to excite the suspicions of the Fuhkeën authorities, and of earnest efforts to conciliate their good will. But being upon this topic, I would presume to say that it would be well to avoid those parts of the coast upon which the Opium ships are usually anchored, neither would it be desirable that the ship should pass above the forts at the entrance of the Min.

I have judged it best that the communications with the Government of Fuhkeën should be carried on in your name, rather than my own, because my business is specially with the authorities of these provinces, and you will feel that communications upon my part with those of another, would expose me to great suspicion and dislike here.

Mr. Gutzlaff, the joint interpreter, has been instructed to place himself under your directions, and will readily afford you every assistance in his power.

After your departure from the Min, I am led to hope that you will convey to the Bonins, Mr. Millichamp, a British subject, and a principal settler in those Islands.

This person has been waiting here for a passage for more than twelve months at a heavy expense, and I am not without reason to believe that any facilities which could be properly afforded to him, would be acceptable to his Majesty's Government.

Perhaps too, in the course of your voyage to the Bonins, you would do me the favour to call at Napakiang, in the Loochoo's, for the purpose of enabling the Rev. M. Gutzlaff to join a vessel, bound on an expedition of investigation, which he has my permission to do.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Sub-Inclosure 2 in No. 103.

Proposed Address to the Governor of Fuh-keën and Che-keäng by Captain Quin.

THE Undersigned, Captain of one of His Britannic Majesty's ships, has the honor respectfully to announce to your Excellency his arrival at this anchorage.

The

The purpose of the visit is to acquaint your Excellency, that certain men, forming part of the crew of an English vessel, have lately been apprehended at Manila, on a charge of rising in mutiny, and murdering their commander in these seas, some time in the year 1836, and of afterwards sailing away in the ship to the coast of Luconia and there destroying her.

It further appears that the instigators of the mutiny landed fourteen of the crew, who refused to join in the outrage, on the coast of Fuhkeën.

There is no ground for the suspicion that any of the persons there landed participated in this flagitious deed. And the undersigned therefore feels assured that your Excellency will be pleased to cause them to be delivered to him; to the end that they may be confronted with the persons in confinement at Manila, so that speedy justice may be done upon the guilty, and that the innocent may be suffered to return to the support of their aged and afflicted parents.

The undersigned requests your Excellency to accept his sincere and respectful thanks for the protection extended towards these unfortunate men; and indeed it is a pleasing duty to acknowledge, in grateful terms, the unvarying kindness of the Officers of the Empire to any subjects of his country cast on these coasts by shipwrecks or other distressful accident.

The undersigned takes the liberty to request that your Excellency's pleasure upon this subject may be signified as soon as convenient, in order that he may sail away in pursuance of his instructions; and he avails himself of this occasion to offer your Excellency the sentiments of his highest consideration.

Sub-Inclosure 3 in No. 103.

QUIN, the Commander of one of his Britannic Majesty's ships, has arrived at this anchorage, with an address for his Excellency the Governor, upon the subject of certain distressed seamen of his nation, cast on shore in the year 1836.

He requests that an officer may be sent to him with all convenient speed, so that he may present his address, and having received an answer, sail away.

Inclosure 4 in No. 103.

Captain Elliot to Mr. Gutzlaff.

Sir, *Macao, June* 21, 1837.

WITH reference to my communication of this day's date, I have now the honor to furnish you with the following instructions for your guidance as to the disposal of the three Japanese who have so long been supported at the charge of this establishment.

If you should be fortunate enough to meet the ship *Morrison* at Napakiang, in the Great Loochoo, and there are any Japanese junks at that place bound to Japan, you will be so good as to ascertain from the three persons under our care whether they would prefer to embark on board one of those vessels to proceeding on in the American ship. In taking their decision upon this point, you will explain to them with all the precision in your power, the nature of any probable risk to which they may expose themselves by repairing to their country in a foreign ship.

In the event of their desiring to join a Japanese junk at Napakiang, you will make arrangements for the payment of their passage.

If you should have left Napakiang, in the *Raleigh*, before the arrival of the *Morrison*, and that vessel only joins you at the Bonins, it will still be indispensably necessary, previous to permitting the three Japanese to be carried on to any part of the coast of Japan in the *Morrison*, that you should receive from them their own consent to this mode of returning to their country.

If they object to it, you will be so good as to request Captain Quin to let them remove from the *Morrison* into His Majesty's ship under his command, and in that contingency, he has obligingly promised to restore them to my care at this place.

Should they, on the contrary, think fit to go on in the American ship, as they now seem very desirous of doing, you will be pleased, on approaching any part of the coast of Japan, to pay the utmost attention to their own suggestions with respect to the safest and most unobtrusive means of finding their way on shore; and it may not be misplaced to remark, that to put them on board a native vessel out of sight of the land, appears to be a judicious manner of effecting that object.

Generally, in all your proceedings with regard to these individuals, you will bear in mind that their secure return to their own country is the single object to which his Majesty's Government attach any importance; and I feel assured that nothing would seem less pardonable to Lord Palmerston, than the least disposition to postpone that consideration to any views or purposes whatever.

Impressed with this conviction, it has only been my duty to His Majesty's Government to furnish you these scrupulous instructions, but I can satisfactorily add, that they have not been written in any sense that you would be influenced by other motives than those upon which they are based. Indeed, your own excellent feeling, and the high character and judgment of the American gentlemen by whom this expedition is undertaken, afford of themselves the best guarantee, that to restore these shipwrecked individuals in safety to their country and their families, will be the principal and sufficient object of the visit to the coasts of Japan.

I need hardly repeat to you in this place, that it will be proper you should very carefully distinguish between the general leave of absence now accorded to you, and permission to join this or any other such expedition; which it is wholly out of my power to grant.

But whilst it is necessary I should remind you that your pursuits during your leave of absence are of your own seeking, and must be strictly considered to be entirely unconnected with His Majesty's service, still I cannot doubt that the Secretary of State will sympathize with those feelings of pious enterprise which have influenced you on this, and so many other occasions. And I entertain a persuasion that I shall be excused for opposing no obstacle in the way of dispositions at once suitable to your sacred profession, and honourable to your personal character.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 104.

Captain Elliot to Viscount Palmerston.—(*Received February* 2, 1838.)

My Lord, *Macao, July* 5, 1837.

I HAVE the honor to acknowledge your Lordship's Despatch, of the 8th November, 1836, declaratory of the state of the law with respect to any authority to the Superintendents of trade to deport a British subject from this country.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 105.

Captain Elliot to Viscount Palmerston.—(*Received February* 2, 1838.)

My Lord, *Macao, July* 5, 1837.

IN acknowledging your Lordship's Despatch, of the 6th December, 1836, I have the satisfaction to observe that the Inclosure in the Despatch of the 14th September preceding, has had the effect of completely removing all difficulty upon the subject of official correspondence between the Portuguese Government of this settlement and His Majesty's officers.

The instructions to the Admiral, which your Lordship has been pleased to notice

notice in the former Despatch cannot fail to be attended with the best consequences to the general interests of the trade in this empire.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 106.

Captain Elliot to Viscount Palmerston.—(*Received March* 20, 1838.)

My Lord, *Macao, August* 29, 1837.

A SHIP upon the point of sailing affords me an occasion to announce to your Lordship the return of His Majesty's sloop *Raleigh* on this day, after an entirely successful completion of the service explained in my Despatch of the 3rd July.

The fifteen people belonging to the late brig *Fairy* were despatched to Canton by the Government of Fuhkeen on the day after the arrival of the *Raleigh* at the mouth of the Min River; and they were all safely delivered over into my hands by the authorities of this province on the 2nd instant.

Their generous treatment by the Chinese authorities has been in the highest degree honourable to the humanity of this Government, and I have not failed to convey my respectful sense of such conduct to his Excellency the Governor.

A more detailed statement of Captain Quin's proceedings shall be transmitted by an early occasion; but in the mean time it will be satisfactory to your Lordship to know that he has succeeded in drawing from the Government of "Fuhkeen and Chekeang," a direct official answer to his address.

I feel assured that the zeal and great judgment which Captain Quin has displayed in the discharge of a very delicate duty will not be lost upon His Majesty's Government.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 107.

Captain Elliot to Viscount Palmerston.—(*Received April* 10, 1838.)

My Lord, *Macao, September* 4, 1837.

WITH reference to my Despatch of the 29th ult., I have now the honour to submit a translation of the document handed to Captain Quin, of His Majesty's sloop *Raleigh*, by the officers of the Provincial Government at Foo Chow Foo on the 3rd July last. This paper is not an edict from the Governor, addressed directly to Captain Quin, but it is an instrument signed and sealed by certain native officers, to whom it was addressed, involving a copy of his Excellency's commands, communicated to them for injunction upon Captain Quin.

The sensitiveness of the higher Chinese authorities, upon the subject of direct official communication with foreigners, is a feeling which is commonly supposed to be very much confined to the government of this province.

It was strongly manifested, however, on this occasion, at Foo Chow Foo; and I believe it may be considered to be a principle of Chinese policy, which will be found in active force at all the outward limits of the empire.

Upon the whole, I trust that the successful completion of this service will be satisfactory to your Lordship.

It was desirable, on many accounts, to convince the Chinese Government that the safety of British subjects was always a source of earnest solicitude to that of His Majesty. And though I have already said that there did not appear to be any serious ground for apprehension about these people, still it was to be remembered, that they had been more than twelve months detained at Foo Chow Foo; and their having formed part of the crew of a vessel engaged in

the illicit traffic, considerably increased my own anxiety for their restoration into our hands.

I hope too, that other advantageous consequences may result from this voyage to the Min. That the King's ships could find their way to other points than Canton, upon proper and necessary occasions, would be one obvious reflection, and, adverting to its effect upon the authorities of this province, probably a very salutary one to create. The measured tone of the communication, it is to be presumed, would favourably dispose the governments of other provinces than this, to receive one on a like occasion, rather than incur the hazard of troublesome discussions by its rejection; and (if difficulty occurred) of certain censure from the Court for unreasonable impracticability.

Before I dismiss this subject, I would respectfully suggest and request that your Lordship should address a letter to the Governor of Canton, expressive of thanks for the very generous treatment of these fifteen persons. They were well fed, lodged, and clad, and upon their final departure from Foo-chow-foo, each individual received a present in silver to the amount of about 50 shillings.

The one-half of their journey to Canton was performed in chairs.

There would be no difficulty in transmitting your Lordship's letter to the Governor through an officer, as was done in the case of the Governor General of India's communication brought on in the year 1829, by Captain Freemantle.

His Majesty's sloop left the Min on the 3rd July, and arrived at Napakiang in the Great Loochoo on the 14th. At that place Captain Quin found the American Ship *Morrison*, on board of which Mr. Gutzlaff embarked in prosecution of the intended voyage to Japan.

The conduct of the inhabitants of the Loochoo's was inoffensive; and indeed it is a painful proof of the suspicion of the Government, and the extreme subjection and timidity of the people, that they steadily refused to receive any remuneration for some supplies procured by Captain Quin,—of course under the impression that they were to be paid for. Water was supplied in the Native Boats; they furnished three bullocks, five pigs, fowls, and vegetables; but they would take no payment, and even brought back a bag of dollars which had been cast into the last boat, entreating Captain Quin, with great earnestness, to take it again. They insisted that they did not dare to receive the money.

On the 16th July, Captain Quin proceeded to the Bonin Islands, where he arrived after a tedious passage, owing to light winds, on the 2nd August.

The Inclosure No. 2, contains Captain Quin's remarks upon the condition of that settlement.

His Majesty's sloop sailed from Port Lloyd on the 10th August, and arrived in these Roads on the 29th. This voyage was also protracted by a continuation of very light weather, but under general circumstances, I think the passage between the Bonins and China might be performed in a ship of war at all seasons of the year in about twelve days.

On the same day (the 29th August), the ship *Morrison* returned from the expedition to Japan, bringing back the Japanese.

The Reverend Mr. Gutzlaff's notes, Inclosure No. 3, will most satisfactorily explain the history of this voyage.

I have presented each of the Japanese who were formerly supported at the charge of this establishment with ten dollars, and I have the satisfaction to add, that they are now eligibly placed and earning their own livelihood.

The considerable degree in which the Reverend Mr. Gutzlaff's attainments have contributed to the successful accomplishment of our objects in Fukeen will be very apparent to your Lordship.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 107.

An Order to be opened by the English Naval Commander Quin and others.

Po, commanding the Governor's central regiment.
Loo, second in command of a naval squadron.
Tih, second in command of the Lieutenant Governor's central force.

Tae,

Tae, Prefect of the Department of Fuchow; and

Yen, Sub-Prefect, charged with the Coast-guard, hereby transmit commands.

On the 1st of July 1837, they received and copied the commands of their Excellencies Chung, Governor of Fukeen and Chekeang, and Acting General of the garrison of Fuchow, Wei, Lieutenant-Governor of Fukeen, and Chang, Lieutenant-General of the garrison of Fuchow,—these commands being of the following tenour.

"It has been reported to us that an English ship has arrived in the province of Fukeen, and has anchored in the offing of Uhu, also that three boats have left her and passed through the mouth of the river, to present an address. And now, the above-named military officers, &c., have laid before us the address of the foreign officer.

"It is therein stated, that fourteen seamen belonging to a merchantman of the said nation have been cast on the coast of Fukeen, and it is entreated that they may be delivered up.

"On a perusal of the address, its language and wording are found to be throughout respectful and dutiful.

"Having investigated the subject, it seems that in September, 1836, there were found on the coast of Nanking, and other adjoining villages, within the jurisdiction of the district Changpoo, in the department of Changchowfoo, certain distressed foreigners, Mitsoo and others, to the number of fifteen, who, having encountered a gale at sea, were drifted on shore. The number was not, as here stated, fourteen. Nor has the foreign officer who now addresses us given the surnames and names of the shipwrecked foreigners.

"It appears from the interpretation given of the depositions of the shipwrecked foreigners, as before taken in this province, that Mitsoo is a native of Tisoo [?] in the West; that Jozé is a European Portuguese, and that the rest, Malu and others, to the number of thirteen, are Javanese, that none of them are English.

"Now We, the Governor, &c., being apprehensive that the Fukheen interpreter might have failed to give a full, clear, and accurate interpretation, did therefore have an interpreter from Canton, Heu Tseäng, an inhabitant of Macao, sent hither in order to examine and interpret the depositions. We, the Governor and Lieutenant Governor, joined in a personal examination of the men, and perceived, with regard to these wrecked foreigners, that though their spoken language was not intelligible, yet [an outward exhibition of] the mental passions seemed to be susceptible of explication: and thereupon their depositions were taken and put on record. We, the Governor, &c., did, according to the facts (thus ascertained) report clearly to the Great Emperor, and did also forthwith depute officers, Yang Ching tsigh, expectant of a district magistracy, and others, to take the distressed foreigners and convey them to the province of Kwangtung, there to be delivered over to a foreign officer for the purpose of being put on board some fit vessel for conveyance back to their countries. They were also liberally gifted with pecuniary gratuities, as a mark of compassionate kindness.

"Thus the shipwrecked foreigners, drifted hither, have been examined, through the medium of an interpreter, and have, according to law, been sent back.

"Within the province of Fukheen, the regulations do not permit foreign ships to remain at anchor. The established enactments of the Celestial Empire are very strict. And though the said foreign officer, having come to make inquiries respecting shipwrecked foreigners, and to deliver an address, is not the same as one who cruizes about without a cause; yet all territories have their fixed boundaries, and their established regulations relating thereto. He must by no means then be suffered to enter the river, and anchor within it, thereby infringing the regulations. This, as is befitting, should be clearly and authoritatively communicated to him, and he should immediately be compelled to proceed with his boats to Uhú, and thence should be required to sail away with the ship. He cannot be suffered to remain loitering there, looking around, and flattering himself with hopes and expectations, till, in the end, the impropriety of breaking the bounds be forgotten.

"To this effect we proceed to issue our commands. When this reaches the before-mentioned military and other officers, let them immediately prepare a copy of this joint edict from us the Governor, &c., and transmit these com-

mands to the said foreign officer, &c., requiring that he wait until the men of war of the several naval stations conduct him from station to station; and that then he speedily proceed to sea, returning to his ship, and sailing back to his country.

"In regard to the fifteen shipwrecked foreigners, Mitsoo and his companions, let them wait till the Governor and Lieutenant Governor of Kwangtung shall have fully examined their cases, when they will be delivered over to a foreign officer to be conveyed to their said native countries, there to be treated as (their Governments) may themselves determine.

"Within the celestial empire, Kwangtung is the only province in which the said nation has hitherto been granted permission to trade. With this exception, all the provinces from Fukeën northwards contain no places to which foreign ships ought to repair. To none, therefore, must they, under any pretence regarding the winds, proceed; by rashly proceeding northward, they will but expose themselves to be forcibly expelled, and will bring on themselves the crime of presumptuously transgressing the laws.

"We will communicate the substance of the address, and of our commands thereon, to the Governor and Lieutenant Governor of Kwangtung. And let the said military and other officers speedily and fully transmit our commands and act according to them. Let none of them delay or trifle, and so render themselves criminal. The address of the foreign officer, let them also send back. Give trembling attention, and hasten! Give trembling attention! Be speedy! These are our commands."

The above having been received, the commands thereof are forthwith transmitted to the English naval officer Quin, &c., that he may speedily act in obedience to their Excellencies' command, may go back into his boats, and may, with all haste, proceed with them to sea, there to repair on board his ship, and at once sail back to his country. He must not stay loitering here, looking around him; nor must he, under any pretext regarding the winds, rashly proceed northwards, exposing himself, to no purpose, to be forcibly expelled, and involving himself in the crime of disobeying the regulations.

As to the fifteen wrecked foreigners, Mitsoo and his companions, he must wait until the Governor of Kwangtung and Kwangse, and the Lieutenant Governor of Kwangtung deliver them to the foreign officer at that place, when they may be conveyed to their respective native countries, to be there treated as (their Governments) may themselves determine.

Let each, with trembling attention, obey: oppose not. A special order.

[Annexed is the original address sent back by their Excellencies.]

Taoukwang, 17th year, L. S.*, 5th month, 30th day. (2nd July 1837.)

Translated from the Chinese.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 107.

Remarks on Peel Island, Bonin Groupe, situated in Lat. 27° 5′ 35″ *N. Long.* 142° 11′ 30″ *E., 9th August,* 1837.

AFTER Captain Beechey's visit to, naming of this island, and port, and taking formal possession of the Groupe, as per inscription in good preservation on a sheet of copper, as follows:—

"His Britannic Majesty's ship *Blossom*, Captain F. W. Beechey, took pos-
"session of this groupe of islands in the name and on the behalf of His Britannic
"Majesty, George IV., 14th June, 1827."

The first settlers were Matteo Mozaro, a native of Ragusa, but who had been many years in the employment of Mr. Bennet of Rotherhithe, near London, an owner of whale-ships in the South Sea Fishery, and had also served on board an English sloop-of-war, in the West Indies, named *La Morne Fortunée*. With Matteo Mozaro came Richard Millichamp, a native of Devonshire,

---

* Five Seals of the five Military and Civil Officers named at the commencement.

Devonshire, his partner: they sailed from Oahie the 21st May, 1830, with two Americans, one Dane, and a party of Sandwich Islanders, viz. men, five in number; women, ten in number—in all twenty persons, under the countenance of Mr. Richard Charlton, His Majesty's Consul for the Sandwich Islands, who supplied Messrs. Mozaro and Millichamp with an Union-jack, and a paper describing them as deserving persons, who had, at their sole expense and risk, fitted out the expedition to settle on one of the Bonin islands, as per accompanying documents.

From the schooner that brought them from Oahie, two Sandwich Islanders and one American deserted, increasing their numbers to twenty-three.

1831.—The English whale-ship, *Partridge*, Captain Francis Stavers, arrived; of her crew seven deserted, viz.,—

John Hayes . .	English	Drowned.
Joseph Cullens . .	do.	Resident, August 9, 1837, Port Lloyd.
John Bravo . .	Portuguese	do. do. do.
William Gill . .	English	Three apprentices returned to the ship.
Nicholas —— . .	do.	
—— Eaton . . .	do.	
—— Edwin . .	do.	Strayed from a party and lost in the woods.

The English bark *Kent*, Captain Laughton, landed two men; viz.,—

John Jackson . .	American.	After a temporary residence left the Island.
John Butler . . .	do.	

1832.—The English bark *Walmer*, Captain Robins, arrived, one of her crew deserted; viz.,—

James Martin . .	English	Remained twelve months and then rejoined his ship.

1833.—The English whaler, *Amelia Wilson*, Captain Wilson, was wrecked on a rock about forty miles to the northward of Port Lloyd; three boats arrived, with twelve men, of which number four remained; viz.,—

Thomas Baily . .	English	All four resident at Port Lloyd, August 9, 1837.
William Gilly . .	do.	
Joseph Antonio . .	Portuguese	
John Roberts . .	do.	

The English whaler *Cadmus*, Captain Snowdon, landed fourteen mutinous seamen, against the remonstrances of the settlers, and who, (if a stroke of Providence had not drowned half of them,) would in a short time have ruined the infant settlement; some shipped at Sydney, New South Wales; they got other bad subjects, already on the Island, to herd with them, and threatened to supply themselves at the expense of the young community, to fire their dwellings and retire to the jungle.

1834.—The English bark *Faron*, Captain Dale, left two men; viz.,—

—— —— . . .	English	After remaining five or six weeks reshipped in an English bark, belonging to the same owners.
—— —— . .	do.	

English ship, *Corsair*, Captain Venables, left two men, viz.,—

—————— English.	Left the island shortly after.
James Marshall, Scotch.	Was left sick on the beach, without any supply, relief or resource, by Captain Venables, against the remonstrance of the settlers, and is now resident on the island, 9th August, 1837.

English bark, *Daniel*, Captain Duncan, one of her crew deserted, viz.,—

John Parker,	English.	Who remained six weeks and reshipped, in the *Volunteer*, American ship.

1834.—American ship, *Howard*, Captain Worth, left one man sick, viz.,
—— Portuguese. Who reshipped in the *Volunteer*.

English bark, *Rochester*, Captain Price, had one man deserted, viz.,
—— Scotch. Who remained upwards of twelve months, then reshipped in the English bark, *Tory*.

1835.—American ship, *Amazon*, Captain Cressey, had four men desert, viz.,
William Low, American. Resident 9th August, 1837, Port Lloyd.
Benjamin Eady, do. } Reshipped in various vessels.
Thomas Mick, do. }
— Avery, do. }

English bark, *John Palmer*, Captain Lawrence, had two men deserted, viz.,
James Smith, English. Resident 9th August, 1837, Port Lloyd.
—— (cooper) do. Remained twelve months, and rejoined his own ship.

English bark, *Folkstone*, Captain Blisse, had one man deserted, viz.,
William —— English. Remained a month, and reshipped in the American brig, *Diana*.

1836.—United States ship, *Peacock*, Captain Stribling, with the broad pendant of Commodore Kennedy, had two men deserted, viz.,
—— English Remained about twelve months, then reshipped
—— American. in the English bark, *Tory*.

United States schooner, *Enterprize*, Captain Holding, had one man deserted, viz.,
Richard Ladman, English. Remained one year, then reshipped in the English bark, *Tory*.

1837.—English bark, *Rochester*, Captain Kenny, had two men deserted, viz.,
Charles Powell, English. Remained one month, then entered his Majesty's
Thomas Hawkins, do. service on board the *Raleigh*.

English bark, *Mellish*, Captain Cowley, had one man deserted, viz.,
Thomas Lewis, Irish. Remained about six weeks, then entered his Majesty's service, on board the *Raleigh*.

English bark, *Caroline*, Captain Wheeler, one man deserted, viz.,
John Jacket (ar.) English. Resident, 9th August, 1837. Port Lloyd.

English bark, *Admiral Cockburn*, Captain Lawrence, one man deserted, viz.,
———— English. Remained ten days, and reshipped in English ship *Mellish*.

The numbers on the Island when the *Raleigh* left Port Lloyd, 10th August 1837, were as under,

Original	Matteo Mozaro.	Ragusa.
Settlers	Richard Millichamp,	Devonshire, Great Britain.
arrived	Alden B. Chapin.	Boston, United States.
26th June, 1830,	Nathaniel Savory.	Do. do. do.
5 in No.	Charles Johnson.	Copenhagen.
7	Men, Sandwich Islanders.	
13	Women, do. do.	
25	Original Settlers.	

After Settlers 11 in No.	William Gilly,	English, N. Yarmouth.	4 yrs. at P. Lloyd.
	Thomas Bailey,	Do. Bideford.	4 do. do.
	John Bravo,	Portuguese, Cape de Verd.	5½ do. do.
	Joseph Cullens,	English, London.	5½ do. do.
	John Jackets,	English, London.	2 months.
	Joseph Antonio,	Portuguese, Brazil.	4 years.
	John Roberts,	Do. Lisbon.	4 do. do.
	James Smith,	English, London.	1 do. do.
	Francis Silva,	Azores, Fayal.	do. do.
	William Low,	United States.	2 do. do.
	James Marshall,	Scotch.	3 do. do.

Children 6 in No.	William Gilly,	Original Settlers	25
	George Gilly,	After . . do. .	11
	John Hayes,	Children . . .	6
	John Bravo,		—
	George Bravo,	making a total of	42
	Thomas Bravo,		—
		Persons on the Island.	

I have been thus particular to show how fluctuating has been the state of the population of Port Lloyd. Last May, the period for which the Sandwich Islanders had bound themselves to labour for Messrs. Mozaro and Millichamp, was at an end, and from that time, being free agents, they have done little or no work. Messrs. Mozaro and Millichamp are of opinion that thirty more families, say three persons in each, could be comfortably and substantially located, and fed; having besides a reasonable stock to dispose of to ships arriving to supply themselves with clothing, tools, and a few dollars per annum. The want of a fixed head, authorized by Government, is severely felt, and from the want of unity among the settlers, frequently occasioned by competition in supplying such whalers as arrive, and frequently by the conduct of their crews; ships which have good crews will not anchor in the port, fearing their men will desert; others, which have bad men, land them, and disturb the tranquillity of the settlers, by putting them in fear for their lives and properties; as in the instance of the *Cadmus*, *Tory*, and *Admiral Cockburn*. The settlers wanted me to interfere in some of their little local disputes, but as I had no authority, I only listened to their several complaints, and advised unity; hence, the number of affidavits sworn before me.

The *Union Jack* given to Messrs. Mozaro and Millichamp by his Majesty's consul, at the Sandwich Islands, being quite worn out, and their flagstaff blown down, I considered it my duty to supply the deficiency, and rigged them out substantially, in order to point out to strange ships on which side of the Port to apply for supplies.

Peel Island has already, in great cultivation, sweet Potatoes, Taro, Indian Corn, Onions, Yams, Pumpkins, Water Melons, Sugar Cane; Tobacco has been planted, and with such success, that it is likely to give them a great deal of trouble from its spreadiug so fast, and the want of hands to gather it in, and prepare it; it is said to be of an excellent quality; they have a few excellent lemon-trees planted from seed, which bear well, but are neglected.

Pigs are in great abundance. For them the Indian corn is cultivated, and they are sold at from four dollars to eight dollars each.* Wild Hogs are also many in number, and a breed of dogs, brought from the Sandwich Islands, are so well taught, that they will at any time, under the direction of their masters, find, attack, and bring down the largest.

The island has also many jungle fowl, for, on first arrival, the settlers managed to get their poultry adrift; and in a wild state they have increased greatly, to the annoyance of their corn fields.

Goats, in a wild state, are on the southern head, which, at high water, is an island, and are many in number; no tame ones, save a pair left by the *Raleigh*.

There are no noxious animals, or snakes, on the island; no rats, but many mice. Sharks are numerous but small, these the dogs frequently chase in shoal water, capture, and drag them high and dry, on the sandy beaches.

Although

* The average was 10 lbs. per Spanish dollar.

Although the timber on the island is in great plenty, there is not more than required, if a larger number were to settle; there is none fit for masts; one sort is in great plenty, called Toomana, which is used for floors and planking, being also ornamental, furniture is made from it. The mulberry tree is very hard, used for posts or stantions for their dwellings, and never decays in the ground. There is also a small quantity of sandal wood, but not sufficient to make a remark. Mr. Mozaro, with eight men, being three months collecting thirty peculs.

Not the least vestige of previous occupancy has been discovered by the present settlers, who have now been resident since July 26th, 1830; and have examined every part of the island, and I am of the same opinion as themselves, that Peel Island is one of those numerous islands in the North Pacific that has been never occupied.

The settlers have heard of acts of piracy being committed on the coast of Japan by the whalers, but cannot vouch for the truth of the statements of themselves. They know nothing, and never knew of any plunder being brought to Port Lloyd—in fact, they say, "we have no dollars," which piratical persons would require for the stolen property.

In conclusion, I beg to submit that a Vice-Consul, under either the Superintendent of British Trade in China, or his Majesty's Consul for the Sandwich Islands, would be a sufficient head in the present infant state of the settlement, and protect it from the lawless behaviour of the whalers, as he could report to his superior, who might move his Majesty's Government to direct their Attorney-General to prosecute, on their arrival in England.

Messrs. Mozaro and Millichamp would be very glad to receive ten China men and their wives: they would place them on productive land on what the term "Halves," viz., that half the produce should be paid to them in lieu of rent, and in full of all demands.

STATE OF WEATHER AT PORT LLOYD.

January.—Strong Westerly winds, and clear weather.

February and March.—Moderate Westerly winds; occasionally freshes and showers.

April.—Variable winds, inclining to East; showers frequently.

May.—Winds more confirmed East; dry weather generally.

June.—Ditto ditto. Occasional showers.

July.—Heavy rains; fresh gales from East to South-East.

August.—Heavy rains, fresh gales; occasionally heavy Typhoongs.

September and October.—Heavy winds, generally Easterly; occasionally heavy Typhoons.

November.—Heavy strong winds, generally South-East, but incline to South and West.

December.—Winds more regular; fresh winds Westerly.

Typhoons in July, August, September, and October: of the greatest strength in October.

(Signed) MICH. QUIN.

Inclosure 3 in No. 107.

Notes by Mr. Gutzlaff upon a Voyage to Fuhchoo, Napakeang, and the Bays of Yedo and Kagosima, in His Majesty's Ship Raleigh, *and the* Morrison. *24th June—29th August*, 1837.

ABODE AT FUHCHOO

THE appearance of a man of war at the mouth of the Min river created much sensation, though there was apparently no fear expressed. I had repeatedly to assure the Mandarins that she carried no cargo; yet this assertion was still doubted.

By patience we obtained the requisite papers, and parted from our guests with many protestations of affectionate remembrances. One of the Mantchoo officers asked me whether he would be permitted to travel in our country for information. He was a man who had just arrived from Peking, and for the first time seen foreigners from the West; and therefore the more interested in their conversation. It is my firm opinion, that if we could only have more frequent intercourse with the Mandarins, and sufficiently explain our intentions, much of their suspicion would be lulled to sleep.

We found the people invariably kind, and even frank, in their manners. They would give us some assistance, even if it was not required; and greatly thank us, if we showed them a favour in our turn.

To the advantages of navigating the Min I have adverted in a former paper. Vessels of thirteen feet draught might go up to the Min-gan fort, and those drawing less even reach the city. The large junks we saw there opposite at anchor, fully proved that ships of considerable burthen might be able to proceed to the anchorage, though the channel is intricate, and there are not a few banks.

The Mandarins invariably depreciated the commercial resources of this emporium; but there existed too much ocular proof to the contrary. All was bustle on the river's side; the junks were loading as quick as they could, and several passed down the river. The native craft is here considerably more numerous than I have seen at any time at Canton. The Amoy merchants are also here the most respectable, and command the market; their junks fetch rice from Formosa, and supply Fuhchoo with sugar and cotton, two articles of extensive consumption. As the natural port for the exportation of black teas, Fuhchoo is fully deserving of our attention.

Rice was at this time very scarce, and fetched 30 per cent. above the Canton price. The major part of the populace was in a state of suffering; though there was no famine, there was want. The population is very numerous, and the means of subsistence not so plentiful in proportion. Silver sold for 1100 large cash per dollar—an exorbitant price. The limited circulation of the precious metals is throughout the Empire very keenly felt; the complaints are general, yet it can scarcely be believed that ten or eleven millions of dollars, annual exportation, can so materially affect so large an Empire as China, as it has generally been believed. If this, however, be the case, the native currency, before the establishment of the foreign trade, must have been very limited; for all the exports, taken together, do not yet amount to one-half of the previous imports. Supposing the complaints of Chinese statesmen well grounded, so that the circulating medium will decrease annually as they have foretold, this will lead to results which will render foreign agency conspicuous. The Chinese Government possesses no credit for raising a loan; a repeated attempt to introduce a paper currency has also failed; and though cash may do in the payment of small sums, it is too bulky in great transactions, and renders some more handy substitute necessary. Some quantity of bullion is indispensably necessary; and if this is not imported into Canton at a very high premium, it must be obtained some other way, in order to satisfy the demand. Such a crisis, if duly improved, may pave the way for a closer intercourse, upon a more liberal footing.

Departure, and Arrival at Loo-Choo.

During our absence from the ship, a friendly naval officer had paid Her Majesty's sloop a visit. We had scarcely come on board, when the Captain gave orders for getting under weigh. In crossing the bar, we were nearly getting aground. Some islands to the north of the Min, at least a degree distant from the main, which I had not observed in any of my previous voyages, became visible in the afternoon of July 3.

On the 4th, when in Lat. 26° 8′ N., Long. 123° 45′ E., at noon, we observed to windward, at about twenty miles distance, two islands—one of considerable extent, with two peaks upon it. If these have ever been seen by any previous navigator, they have not been accurately laid down in any chart.

We had had hitherto always fair weather, and thus reached, on the 6th of July, the westernmost island of the Loo-Choo group, and the second in extent, called Kanmisang. It is inhabited, and well cultivated. A heavy gale arose here, which lasted for three days, with unabated fury, and obliged us to lay to. When the weather cleared up, we found ourselves to leeward of the islands; and we reached, as late as the 14th, the roads of Napakeang, where the American ship Morrison was already at anchor, waiting for us.

Shortly after our arrival, some Loo-Choo Mandarins came on board, and made the customary inquiries:—To what nation do you belong? From what port do you come? &c. We gave them a list of the provisions we wanted, whilst Captain Ouin requested an audience with the King.

Stay at Loo-Choo.

My original intention was to examine these islands as much as time would permit; but our late arrival frustrated this plan. Having been formerly at this place, and being now able to speak the native language, a brogue of the Japanese, I possessed ample means for obtaining information. Captain Ouin sent the first Lieutenant, with me, on shore, early in the morning. We demurred for a considerable time in the temple near the landing-place, but were by no means cordially received. The appearance of two vessels, and one of them a man-of-war, had rendered the authorities suspicious. To my knowledge no foreign trader committed ever any violence here; yet the natives always dreaming of conquest, can scarcely imagine that a ship should come to these remote regions, without entertaining some hopes of subjecting the islands. Having succeeded in calming the fears of the chiefs, we proceeded to the city. In this trip we were at first opposed by the authorities; but when we had gained our point, they showed the utmost readiness of conducting us through the streets. It took us about an hour to walk at a rapid pace through the whole length of the town. I am unable to determine its breadth, but think that the city may contain about 10,000 inhabitants. All the houses are surrounded with a stone wall, which also incloses a garden, and are mostly built of wood, one story high, with a verandah in front, upon the smallest scale imaginable, in the Japanese style. We did not perceive a single shop or any article offered for sale. The number of squalid looking beings and naked children who surrounded us, was by far the major part of the spectators. We met beggars in the most wretched condition, but were more astonished at the miserable look of the females; they are fat and raw-boned, the very picture of ugliness, with only a scanty covering, and this almost in tatters, whilst their left hands were more or less tattered. As the number of women of all ages who flocked around us was very great, and we did not see a single exception, we do not doubt but that they are kept in the most abject condition. A whole row of them came down from the hills carrying burdens, in company with some ponies, with whom they seemed to rank on a par. The few acres we passed in our ramble were cultivated with potatoes, pulse and grains, with the greatest art; but the peasantry we saw seemed to be a hard-working, ill-requited race. Yet the fishermen are still worse off. They are venturesome, and go with their canoes hollowed out of a single tree, to a great distance from the land, taking only a bucket of water and some potatoes for their subsistence. Upon this they live for days together, until the quantity of fish they caught is adequate

adequate to buy them a new supply of victuals. We saw them with harpoons in pursuit of sharks and other large fish, of which a single one with a blow of the tail might upset their frail bark.

Having passed a large timber-yard, and several salt-works along the sea-shore, we arrived at the grave of an English sailor, who had been buried there twenty-one years ago. Wherever we passed, we saw the coral insect at work, the coast around being covered with its excrescence.

We had at this time better opportunities for observation than our predecessors. The general aspect of things renders the impressions which remained from my last visit less favourable; the Loo Chooans do not improve upon nearer inspection. Several circumstances conspire to keep the great mass of the people in a state of poverty. It is now nearly 200 years that the Prince of the Japanese principality Satzuma took forcible possession of these islands; and until this day the natives have to pay annually 75,000 peculs in sugar as tribute, according to our native informant. This is doubtless a very great drain upon national industry, and greatly checks the enterprising spirit of the peasant. How abstemious soever the natives may be, and from what we saw, the dinner of four men would scarcely satisfy a single European; yet the common people find it very hard to earn a subsistence.

The trade with Satzuma is considerable. There were seven junks of that place in harbour; one had already left; and the whole number is stated to be annually fifteen. The Loo Chooans visit, in their own craft, Kagosima, the capital of that country, and thus employ a considerable capital in commerce. The trade with Fuhchoo, for which harbour annually two junks of the largest description are despatched, is far from trifling. They import Biche de mar, agar agar, sulphur, their own and Japanese manufactures, and take Chinese stuffs, and various other articles, in return. This is the most favoured nation in the whole Celestial Empire: they are not only allowed to trade, but also to send their tribute-bearers to the capital, and leave some natives there to acquire the Chinese language. The chiefs consider it quite below their dignity to converse in the vulgar tongue, always preferring the Mandarin dialect. They do not only understand the Chinese character, but have also adopted the syllabary of the Japanese.

The King of Satzuma delegates his authority to a viceroy, an honour now hereditary, and also sends at times some inferior officers to rule over the country. Notwithstanding the burthen of a foreign yoke, the native authorities appear to have great control, all the branches of industry being in their hands. Japanese cash, similar in shape and weight to the Chinese, and bearing the inscription of *Kwan yung tung paou* (everlasting currency), is here in general use. Ambassadors are sent both to Japan and China; both empires claim the supremacy over these inoffensive islanders, but there has never been a quarrel about the actual possession, because the Emperor of China is satisfied with the mere title, whilst the King of Satzuma levies the tribute.

The islands are divided into two distinct groups. The northernmost has been described by Captain Hall; of the southern, which are also called the Hache-kosima (eight islands—Pa-chow—from there being that number), are less known. The Great Loo-Choo is divided into three districts—San-nan, the southernmost, with the emporium, Napakeang; the central, Teoo-san, with the capital, Teoori; and the northern, Hoku-san, with Port Melville. In giving the names of these islands, we have preferred those written by the Japanese to the nomenclature adopted in our chart. North to the Great Loo-Choo is a chain of islands, which gains this group to the Japanese. They are Yuro, Wookido, Tokoonosima, Kakiroma, Ohosima, and Kikae. To the north-west we find Kisan, Tonaki, Zokoku, Ohobakusan, Yuron, and Yeraboo. On the east coast of the Great Loo-Choo are The, Famasima, Tsouhota, and Koutaha; on the south-west, opposite to Napakeang, is Koneyama, and, to the south, Miyako, Oukama, Korima, Tarama, Mena, Yerabo, Ekima. Some of them are small, others about fifteen to forty miles in extent; but almost all of them are inhabited by a very industrious population. The Hache-kosima group comprises the following islands—Yayama, Tomoutahe, Kourisima, Namiterima, Karahitsuhi, Yoonakooni, Kone, and Hatoma, with a smaller one, called Zinzio. The largest, which is called, in Chinese, Tae-ping-shan, has about thirty miles in circumference, the others are much less. It is impossible to determine the

number of inhabitants, which is, however, by no means small; or give an estimate of the quantity and quality of productions which constitute the staple article of trade; sugar, however, appears to be the most important. There is also a kind of summer cloth manufactured by the Loo-Chooans, which is very much in demand at Fuh-Choo.

On our return we visited a Japanese junk of about two hundred tons burthen, a flat-bottomed, broad vessel. Her single mast was composed of four pieces of wood, held together by iron rings, and bent at the top. The object which most strikes a stranger is the immense rudder, with a pole as large as a moderate mainmast. These vessels carry a single sail, made of cotton canvass, so neat and durable, as not only to equal, but also to surpass our own. Instead of anchors, the junk has five or six grapnels; a straw shed, built in the form of a roof, serves for an upper deck; the bulwark is very low, and pierced for letting out the water. The lower deck is partly stowed with cargo, and also constitutes the place of rendezvous for the crew; it is neatly adorned, and resembles our best cabins. The Japanese keep their vessels very clean; a smaller number of individuals than in the Chinese junks navigate them, and these have the appearance of very hardy sailors. The crew we visited preserved the utmost silence, and did not answer any of our questions, until I called them a company of mutes, when they laughingly overcame their reserve, and answered some trifling interrogatories. All these vessels belonged to Kagosima, the southernmost part of Satzuma, and a very great emporium: their cargo consisted of sugar.

Being recognised by several Loo-Choo chiefs, with whom I had become acquainted at my previous visit, they heartily welcomed me, and made many inquiries about my former companions. They repeatedly asked how many vessels may still be coming; and evidently were tired with supplying them with provisions. At the fort on the entrance they had stationed seven soldiers with clubs, in order to give something like a military appearance to their harbour. For the provisions furnished to H. M. ship Raleigh they obstinately refused receiving any compensation, lest it might have the appearance of bartering or trading with foreigners. Again and again did I press upon them the necessity of taking something in exchange for their presents, in order to avoid entailing loss to themselves; they replied, "If we receive anything in lieu we shall lose our heads."

In a political point of view these islands claim no notice, unless a colony be established on the Bonian Islands. In that case it would be necessary to come to an understanding with the chiefs, and to open a free intercourse. Supposing that Japan obstinately refuses all terms for establishing a commerce, Napakeang might become an entrepôt of that trade, and there is no doubt but the people of Satzuma, who very much resemble the Chinese of Fokeën province in point of enterprise, would gladly avail themselves of this opportunity if they were permitted to do so. Yet it will require a great and permanent effort to convince the people of Loo-Choo that trade is our sole object, and to silence their suspicion of ulterior views.

Departure for Japan.

In accordance to my instructions, I called the seven shipwrecked Japanese together, and asked them whether they preferred embarking in a Satzuma junk to proceeding in the *Morrison* straightway to Yedo. They chose the latter for various reasons. As poor ignorant sailors, who had never transgressed against the laws of their country, they expressed not the least fear on returning in the most open manner, and in a ship of which they could give the best testimonials regarding the benevolent intention of her inmates. Had it been in a Chinese junk matters would have stood differently; for some of their countrymen, brought back to Nugazaki by Chinamen were imprisoned, great jealousy existing between the two nations, and were after the lapse of a considerable time released. Supposing that they went in a Satzuma junk, they never would be able to elude the vigilance of the Mandarins; to smuggle themselves into the country would be a capital crime, and, if the Government Officers looked unfavourably upon their having spent so many years in a foreign country, they would be entirely in its clutches, and be unable to retrieve their steps in the

Morrison. Such were the reasons which determined them to remain in the ship, and disembark at Yedo. As I had to yield to their wishes I could make no further objections, and therefore embarked with them on board the American ship "Morrison," which had already gotten under weigh, July 13th.

To remove all suspicion, Mr. King, the owner of this vessel, had left the guns behind, and taken his wife and a female servant on board, in order to convince the Japanese that he expected no ill from them. Dr. Parker, a clever physician, well known at Canton for his philanthropic endeavours, had embarked in this expedition, in order to practise gratuitously, and thus to gain the hearts of the people. Mr. King had prepared an elegant assortment of presents for the Emperor, accompanied by a letter stating the object of the voyage. We had the means of communicating both through the medium of the Chinese character as well as the Japanese language, and were thus enabled to give an account of everything required, and to satisfy the proverbial curiosity of this nation to any extent.

We had calms, and very light winds, during the greater part of the voyage, and a strong current setting against us, which greatly retarded our way. When, however, approaching the land, it set strongly in our favour towards the east. We made the land near the promontory of Tzou, and also perceived the snowy mountain Foojesan, which was then cloud-capped. Little did we then think that the land we saw—which is said to have, during two centuries, enjoyed perfect tranquillity—was then in a state of rebellion. A dreadful gale, last year, in August, which lasted with unabated fury for ten days, had destroyed the crops. The consequence was, a very severe famine, which rose to such a height, that the rabble of Osaha, the principal emporium of this Empire, rose upon the corn merchants, and either robbed or destroyed their magazines. The Government, anxious to quell this insurrection, attacked the starving wretches, and the whole city, second only to Yedo, became a prey to the flames. In the capital itself, the inhabitants had risen against the imperialist: the whole city was one scene of confusion and bloodshed, but victory had not yet been decided. The prospects of the present year were still very gloomy; little rain had fallen, and the young plants had nearly died. Of these circumstances, communicated afterwards to us by natives, we were not aware, when we approached the bay of Yedo, 30th July.

The entrance to this bay has landmarks which can never be mistaken. A chain of islands stretches down from its mouth to nearly the Bonian group. The northernmost is Ohosima (the great island), large and high—formerly inhabited, but now a volcano—Nisima, Koszesima, Miyake, Mekourasima—which is likewise a volcano—and Fatsio: the southernmost, the Botany Bay of Japanese statesmen, not far from the Bonian group. The latter are known to the Japanese, and inserted in their charts under the name of Boninsima, or Okasawarasima; but these are not visited by their junks, though some of their vessels were driven thither by stress of weather.

Cape Sagami, at the southern entrance, is situated in Lat. 35° 10′, Long. 130° 20′, being twenty-three miles farther to the west than laid down by Krusenstern. The bay is about ten or fifteen miles in width, with about twenty-five fathoms sounding, coral and gravel bottom, throughout the whole, and six fathoms close in shore, without any dangers under water. The narrowest part is several miles farther on towards the Capital, near a fort called Uragawa, when it does not exceed four miles. After this it again expands to about twenty-five miles in width, forming a complete basin, where whole fleets may anchor secure against all winds. Towards the southern shore of the basin are some sandbanks, well known to the native navigator. Junks anchor at a distance of three or four miles from the Capital, while smaller craft can pass the bar, and enter the canals. The shores around are elevated, and bear a romantic appearance. They are thickly inhabited by fishermen—a very hardy and stout race.

Stay in the Bay of Yedo.

We rather wondered to see so very few junks cruising about; a very extraordinary thing, since the tribute of the whole country is forwarded to this spot. But since the commencement of the famine, the vassals have ceased to send their grain, and starvation in such a populous city has been the imme-

diate consequence. The crew of a junk which sailed across our bows, did not show the least symptom of fear; and we have found invariably that the people beyond the reach of their superiors, are friendly and fond of strangers. Of the sailing qualities of these vessels I cannot say very much. In a gale they labour very heavily, and the rudder, presenting a large surface to the sea, is often broken. They are by no means seaworthy, being moreover slenderly built of fir, so as scarcely to withstand a heavy sea. The inhuman government has thus ordered their construction in order to make it impossible to visit foreign countries. Yet, this crooked policy has had the most disastrous consequences, and thousands of these frail barks are annually engulphed. When the mariners are unfortunately driven from the shore, they give themselves up as lost. This happens frequently, because an easterly current sets in along the coast, and runs at the rate of about three miles per hour. Unless there be a very good breeze, it is impossible to make the land; and there remains no alternative for these unfortunate people but to die of starvation, if they are not fortunately thrown on one of the eastern islands. Of this there have latterly been many instances; whilst some reached the west coast of America, others landed in Lusonia or Hainan, or reached the Sandwich Islands.

The weather was rainy when we worked into the bay, yet the Mandarins seemed to be aware of our approach, and therefore commenced a brisk fire from several batteries. Whilst bearing up for Uragawa, a shot fell about a half mile from us, and our captain judged it therefore prudent to come a few miles below the fort to anchor.

The broad principle upon which we had entered in this enterprise, was to win our way cautiously by kindness; and as it was naturally to be imagined, that the nearer we were the court, the sooner an application for permitting foreign intercourse would be taken in consideration at head-quarters, we had addressed ourselves to the Emperor. In this letter it was stated, that our ship brought seven shipwrecked natives back to their homes, that we requested the favour of a visit from an accredited officer, to whom we might communicate our wishes, and should rejoice to trade if H. M. pleasure were known to that effect. A list of the presents and of the cargo, and separate papers, containing a short account of the United States, and setting forth the offer of assisting the sick, were put into the same envelope. Prepared for disappointment, we wished to leave nothing untried in order to open a communication with the Court.

Shortly after the anchor was down, a crowd of curious natives came on deck. Many were in a state of nudity, whilst others wore a single upper dress, and none of them trowsers. Upon their heads, shaven in front, whilst the hair of the hinder part was bound up in a knot, they wore no covering, and only a few had straw sandals on their feet. An elderly man first reconnoitered, and gave an account of his friendly reception to the waiting crowd. A number of people rushed immediately on deck; they examined everything without reserve, and showed themselves very friendly and good-natured. Thinking that all people in the world speak Japanese, they were rather astonished that there was only one single individual whom they could understand. We gave them some trifling presents, for which they thanked us very heartily, and then retired with joy to make room for others. One who for the first time might have seen this scene on board, would scarcely have believed that we were in Japan, for the natives behaved in such a manner as if they had been for years familiar with us. Even women came alongside; and had it not been for the rain which begun to pour down, they would have favoured our ladies with their company on board. To the intelligent part of our visitors I stated who we were, which wrote it down on a piece of paper, in the Japanese and Chinese character; and also distributed some papers, in which we expressed a wish to see a Mandarin on board. We expected every moment an officer, when we saw a large boat coming from the Uragawa fort, in the bow of which a well-dressed person was seated. I pressingly invited him to come up the gangway, but he politely refused, and merely rowed around the ship, and then returned. It was naturally to suspect that amongst the motley group which crowded the deck, there might be same government spies, and the inquisitiveness about our guns betrayed them. Yet we augured well about our reception by the authorities, since we had witnessed such decided proofs of good will on the part of the people. Having been pressingly

invited

invited to visit the picturesque shore, we deferred this on account of the rain to the next day.

Early in the morning we were ready to tread for the first time on the Japanese shore, when suddenly, whilst the boat was preparing, our ears were greeted with the firing of cannon. Scarcely had the morning dawned when we saw the shot falling in various directions, some passing through the rigging, others pitching at the stern, and only one coming in through the porthole, and striking the deck. Some boats, anchored off the Uragawa fort, also opened a fire, which, however, proved entirely harmless.

It was no use to serve for a target, since we were in an entirely defenceless state, and fully determined not to requite evil for evil. We therefore got under weigh, and had the mortification to see that, though the vessel was moving slowly on in a calm, the battery did not cease firing. Conscious of having given no cause for provocation, we were the more astonished at this unprecedented act of aggression upon defenceless foreigners. We therefore laid-to for some time, hoping that an explanation might be given, and a communication opened at the entrance of the bay. In this anticipation we were, however, deceived; for, though the war-boats followed us at a respectable distance, no officer came off.

We had been about twenty miles from the capital at anchor, and the commanding officer at the next fort must doubtless have communicated our arrival to His Majesty; so that the orders for driving us away from the coast so unceremoniously emanated directly from the palace. In all expeditions on record some officer had visited the foreign ship, and supplied her with provisions; but here, notwithstanding our earnest entreaties, no understanding took place. We suppose this, therefore, to be a new law, according to which Barbarians are to be treated. If such, however, be the case, the exclusive system of this Government is at its climax,—where it ought to receive a check. They will neither care whether a ship is in distress, or whether there are some wrecked seamen in a boat, but endeavour to take away their lives, if this can be effected. As many of our whalers cruize about this coast for several months of the year, this must occasionally happen; and it is very mournful to think that men who hasten to these shores, in order to save their lives, should expose themselves to the danger of being killed by their fellow men. If they could treat us so barbarously when they had ocular proof that we had divested ourselves of the means of injuring them, and came with friendly intentions, how will they treat suspected foreigners? Whatever may be the politics of this reclusive country, its rulers must be constrained to pay regard to the law of nations, and not to treat all the remainder of mankind as enemies.

When our seven shipwrecked Japanese saw the behaviour of their Government, they declined going on shore, since, under such circumstances, it would be certain death. We thought it, however, our duty to try at another place, and therefore steered for Kagosima, the capital of Satzuma. Calms and a current setting us often two or three miles to eastward, very much retarded our progress.

August 8th, we came in sight of Hiyonga, which is a bold and rocky coast. Here we hailed several fishermen, who gave us ready answers to our questions, but would not come on board.

On entering the capacious bay of Kagosima, we despatched two of our Japanese to the next military station on shore. The commanding officers, having heard the tale of their previous sufferings, and kind reception on the part of the foreigners, were moved deeply, and promised ready assistance to them and the kindest treatment to us, who they said resembled in our conduct not men but angels. Boat-loads of water were immediately despatched to our ship, and whilst they forwarded an ample and impressive statement in our behalf to the Prince of Satzuma, they desired to give us a great supply of provisions. Our people were to return to their homes immediately, and every other matter to be satisfactorily arranged. We had also drawn up a letter to the Prince, in the envelope of which we had enclosed the document addressed to the Emperor. This, however, they refused to receive, after much deliberation; yet the substance was faithfully transcribed in their report to Kagosima.

Having been requested to come to an anchor opposite to a certain village, we repaired thither, under the guidance of a native pilot. On the third day,

early in the morning, a fishing-boat came off to us in great haste, and the people, seemingly on their own account, stated that we would not be permitted to enter a more secure harbour, as had been promised at first, and, since more Mandarins had arrived, it would be best to trip our anchor and sail away. Our Japanese having applied the day previous for permission to go on shore, they were prohibited doing so by the authorities. A few moments of reflection fully convinced us that we must not expect any friendly treatment, though the authorities had solemnly pledged themselves. We were no longer left in a state of doubt; the ominous striped cloth was down; and as soon as the Mandarins found themselves secure under the cover of this defence, they commenced firing upon us. Though the balls fell all short, we thought it best to get under weigh. The wind being contrary, we had to beat out, and thus to approach the land in different directions. From six projecting points were we fired upon during twelve hours, with long intervals between. But as both the cannon were very defective and ill directed, no damage was done, all balls falling short.

The Bay of Kagosima is well sheltered, and there is an excellent anchorage near the city. Only the Loo-Chooans are permitted to trade to this emporium; all other commerce is considered as smuggling, in which the Satzumans have shown themselves too clever. This was one of the first ports visited by the Portuguese, and is still to this day one of the most flourishing.

During the whole course of our negotiation with the Japanese Government, we are not aware of having given the slightest offence. We came there to deliver up seven shipwrecked men, and to solicit a friendly intercourse; our intentions were fully stated, both in writing as well as verbally, and acknowledged to be excellent and praiseworthy. Without being charged with having transgressed the laws of the country, or in the least degree being warned of our impending fate, the Government was determined on our destruction; and our preservation, which we owe to the merciful protection of Providence, must mainly be ascribed to their want of means to kill us.

Our natives were thunder-struck, and grateful that they had not availed themselves of a Satzuma junk to return to their country, for then they would certainly have been decapitated, or put, for all their lives, into prison. Now, they had at least some means left of saving their lives by returning to Macao. They earnestly besought us to take them back, because their country had rejected them as outcasts, and we willingly granted them a favour asked with tears. After frequent calms and currents we arrived, August 29th, in Macao Roads.

To sum up the total of our experience in regard to this country, we ought to give full credit to the frankness and friendliness of the natives. They are people who would oblige foreigners to any extent. The Mandarins we saw were mean in their appearance, and never spoke without trembling: the soldiers are in petticoats—real sans-culottes—and apparently inferior to the Chinese. The system of espionage is carried here farther than even once in Spain by the Inquisition. The Emperor and all his vassals are prisoners in their palaces, and even not allowed to eat as much or as little as they like, or to sleep beyond their time. Every officer is responsible with his head in his station to the whim of his superior, and a mere machine in the performance of his duty. Japan exhibits the true image of despotism. Its constant tranquillity is a mere fiction, but it is a matter of fact that Government has always been strong enough to quell rebellion and maintain its system. How the present struggle will end, we do not know; but so much is certain, that the great bulk of the people groans under the heavy burdens imposed upon them. There is an overgrown population, and though the means of subsistence in plentiful years are sufficient, they are not adequate during a time of scarcity.

The Japanese coasting commerce is very extensive: the resources of this country are very large, and the inhabitants fully as industrious as the Chinese. The Government is the only check to improvement, and the insurmountable bar to foreign intercoure.

(Signed) CH. GUTZLAFF.
Joint Interpreter.

No. 108.

Captaiu Elliot to Viscount Palmerston.—(*Received March* 19, 1838.)

My Lord, *Canton, September* 26, 1837.

AN accident of a serious nature has just occurred at this place; and, being apprehensive that unfounded and disquieting reports may reach England upon the subject, I forward this Despatch by a ship bound to Bombay, in the hope of saving the December overland mail.

Two Lascars, belonging to an English passage-boat, landed on the evening of the 20th instant on the north shore of the river, about two miles below the Factories, and a fray took place, in which a Chinese was declared to have received several severe stabs with a knife.

There were two other Lascars on shore at the same place, and although it does not seem that they were engaged in the affair, they, with the two principals, fell into the hands of the Chinese police, and the whole four were brought up to this place and confined in the Consoo House.

On the morning of the next day (the 21st), the magistrate, in whose district the disturbance occurred, sent them to me for examination, but declined to leave them in my hands.

I had no strong objection that they should remain in the custody of the Mandarins, at the Consoo House, during the daytime, because I could always know whether they were removed within the walls of the city, and then transmit the most urgent appeals for their immediate delivery to my care; but, as night approached, and it would be difficult to watch proceedings, other steps became necessary.

At eight o'clock, therefore, I sent for the three official merchants to the Hall, and demanded that the men should be given up before ten o'clock that night, upen my pledge that they should be fairly tried, according to the laws of my country (and in the presence of Mandarins), for any crime alleged against them.

Howqua replied, with composure, that these persons were in the custody of the Mandarins, charged with a violation of the laws of the empire, and pending the determination of the safety of a Chinese who had been severely stabbed by one amongst them. If Englishmen went to France, he argued, they were amenable to the justice of that country; and then, taking this rather displeasing occasion to compliment me upon a presumed reasonableness of disposition and love of justice, which, he said, had secured for me the respect of the Governor, he required me to show why the case should be different when Englishmen came to China.

I answered that I would venture to say my Government would admit all the force of this reasoning, as soon as it could be made at all applicable by the Emperor's gracious will to place my countrymen on the like footing in China, with respect to freedom of intercourse and the equal administration of the laws, as they stood in France, considered with relation to those points.

There was no pretension in England, he might assure himself, to dictate any change of policy to the Chinese; that was a high matter, which depended upon the Imperial wisdom and pleasure; but it was not to be denied that the present state of things was attended with great inconvenience, and one amongst them was, the utter impossibility to concede their right to try British subjects for a breach of Chinese laws, by Chinese officers, whilst those laws were only partially administered towards them, and whilst appeal to the higher Chinese tribunals is entirely shut out from them.

All that could be justly expected from my Government, under such circumstances, was to provide means for the fair trial of British offenders against Chinese life or property by British laws and British officers.

With respect to the merits of this particular case, I urged that no European had seen the body of the man said to be stabbed; that the Lascar denied the whole allegation, and that it was certain no knife had been found upon him.

I concluded by insisting that the men must be delivered to me by ten o'clock, or that I must quit Canton, leaving upon his Excellency and themselves,

selves, in the form of a protest, all the grave responsibility of any evil consequences which might ensue from their further detention.

I suggested, at the same time, that, as soon as it were known I had left the Factories, it was too probable some eight hundred or a thousand men might come up to Canton from Whampoa, to carry a petition to the city gates for the restoration of the people. Whilst I remained, my countrymen would be patient, feeling assured that the safety of the people was certain; it was not easy to believe they would remain so after I had left Canton.

The Lascars, it was to be observed, were a very excitable race of people, and they might urge their commanders to take some hazardous step, which no man would deplore more sincerely than myself; but it would be wholly out of my power to control events, if they constrained me, by their unreasonable refusal of my proposal, to retire from the stage of my public duties—the very first of which was the protection of my countrymen.

Howqua was evidently shaken by this tone of representation, but he still anxiously entreated me to wait till he could see the Governor in the morning. I felt, however, that this was one of those cases in which firm countenance and rigid adherence to my original declaration was all I had to depend upon; and I closed the discussion by desiring the people to prepare my boat.

At this point Howqua gave way, and the men were forthwith restored to me.

They have been in my custody ever since; and your Lordship may be assured that I will never give them up to any other form of trial than that to which I have pledged myself—namely, a trial according to the forms of British law.

It is satisfactory to add that the Chinese is said to be doing well, and that the tranquil course of the trade has not been interrupted.

I would in this place, my Lord, express a respectful but earnest hope, that no time may be lost in the formation of adequate judicial and police institutions for the government of the King's subjects in this empire; and I have no hesitation in assuring your Lordship that it is in my power to secure from the provincial authorities the most formal sanction to their operation.

For several months in the year, there are not less than 2000 of his Majesty's subjects at Canton, Whampoa, Macao, and the immediately adjacent anchorages; and your Lordship is aware, that, except in cases of homicide, the Chinese Government do not interpose at all for the preservation of peace between them and their own people, or between his Majesty's subjects themselves.

Your Lordship will conceive the exceeding risk and unsuitableness of the absence of defined means of sufficient control.

I have, &c.,

(Signed) CHARLES ELLIOT.

Macao, October 3, 1837.

P.S.—Particular circumstances calling me to this place on the 30th ult., I apprized the Provincial Government that I adhered to my pledge with respect to these people, but must take them away with me to Macao. The day after my departure from Canton, accompanied by the Lascars, a chop was issued by the district magistrate, desiring that they might be finally delivered to me to be dealt with as I saw fit.

(Signed) CHARLES ELLIOT.

No. 109.

Captain Elliot to Viscount Palmerston.—(*Received May* 15, 1838.)

My Lord, *Canton, November* 18, 1837.

THE Inclosure No. 1, which I have now the honour to transmit, consists of a series of four Edicts upon the subject of the opium ships, forwarded to me by the Provincial Government, at various dates in the months of August and September last.

An instrument subsequently addressed to me (Inclosure No. 4 of this despatch) so fully recapitulates the subject matter of these documents, that I have merely considered it necessary to trouble your Lordship with their contents in an abridged form.

It is requisite your Lordship should know, that since my first arrival in Canton, in the month of April last, I have frequently been urged by the official merchants (and, as they have always declared, by the special command of the Governor) to dismiss the opium ships from the usual anchorages outside the port. I have invariably replied on these occasions, that my Commission charged me with the superintendence of the trade to Canton; that my Government had no formal knowledge of the existence of any other; and that his Excellency must be sensible I could concern myself only with the duties I had due authority to perform.

When the Edict of the 19th September was delivered to me, the merchants anxiously importuned me to acknowledge the receipt of all these papers, and authentically to explain my situation in relation to the whole subject.

So long as there was room for the supposition, that these repeated approaches were merely formal, I considered, that it would be most convenient entirely to disregard them; but, with the Government manifestly in greater earnest than it had ever yet been upon the subject, it was to be borne in mind, that my continued silence was susceptible of mischievous misconstruction for the vindication of the menaced interruption of the whole commerce.

Thus impressed, I resolved to record my own grounds for the course I was pursuing, rather than to leave its explanation to the inferences of the Provincial Government.

The Inclosure No. 2, is my note to the Governor, in acknowledgment of the first Edict.

The Inclosure No. 3, is his Excellency's admission of the reasonableness of my objections to transmit for submission to the throne, communications which reached me through an indirect and informal channel.

The Inclosure No. 4, is an instrument addressed directly to myself under the seals of the Kwang-Chow-Foo and the Kwang-Heep, and contains copy of his Excellency's Edict, addressed to those officers for communication to me.

The Inclosure No. 5, is my acknowledgment of this paper.

The earlier transmission of this despatch has been prevented by the Governor's absence from the provincial city on an official tour, which has put it out of my power to transmit my note, No. 5, till yesterday; and I considered it a matter of some moment, that the circumstances should stand in their present posture before they were reported for your Lordship's information.

Situated as I am, I hope to be pardoned for submitting my own views of a course of proceeding which seems to me to be easy and advantageous of adoption in the present conjuncture; but I am disposed to believe, that it may more conveniently form the subject of a separate despatch.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 109.

Abstract of an Edict from the Governor and Lieutenant Governor of Canton to the Hong Merchants, against the Opium-receiving ships anchored outside the port of Canton.

August 4, 1837.

THEIR Excellencies have received from Peking an Imperial Edict, which they insert, and of which the following is the substance: "A memorial has been laid before the Emperor, representing that more than ten English vessels are constantly anchored outside the port, in the anchorages of Kap-shuy-moon and Kumsingmoon; that the illicit trade—the importation of opium and exportation of Sycee silver—depends entirely on these vessels; and that they form also places of refuge for proscribed smugglers. The Emperor accordingly directs, that the resident foreigners be immediately required to send them away, and also, that steps be taken to punish all natives engaged in the smuggling of opium."

The Governor and Lieutenant Governor hereupon issue orders to the Hong Merchants, to make it known, that no foreign vessels are allowed to remain anchored outside the port; and to call on the English Superintendent to send away all the receiving-vessels now anchored in various places within a period of ten days.

[Note.—This abstract is given in as few words as possible, as the tenor of the whole of this document, and of the three others, appears in a subsequent document, of which a full translation is given.]

(Signed) J. ROBERT MORRISON,
Chinese Secretary and Interpreter.

Abstract of a second Edict from the Governor and Lieutenant Governor of Canton against the Opium-receiving Ships anchored outside the Port.

August 17, 1837.

THE Imperial Edict, inserted in the first Edict from their Excellencies, is here re-inserted; and their previous orders are alluded to, with blame, on account of no answer having yet been given.

The English Superintendent Elliot, being authorised to direct even trifling matters, is so much the more called on to interfere in an important matter, which, as it is contrary to the laws of the Celestial Empire, must also be obnoxious to the instructions which the Superintendent has from his own Government. The benevolence of the Great Emperor is universal, but it cannot suffer depraved foreigners to tempt natives to do evil.

The strict terms of the Imperial Edict require on the part of their Excellencies, the utmost diligence; and, being apprehensive that the Hong merchants may not have explained the subject with sufficient earnestness, this second Edict is therefore issued. The Superintendent is to be instructed, immediately to send away all the vessels anchored at Lintin, and other places outside the port; and hereafter, the trade must be confined to articles legally dutyable, and no contraband articles, such as opium, must be imported.

The goodness of the Government in permitting foreigners to have a general mart for their commerce, at such an important emporium as Canton is, is then spoken of; but it is shown on the other hand, that the Emperor can be awfully severe, as well as good and merciful; and that it will be well, therefore, to avoid such conduct as will lead to the entire stoppage of commercial intercourse.

Abstract of a third Edict from the Governor and Lieutenant Governor of Canton against the Opium-receiving ships anchored outside the Port.

September 18, 1837.

THEIR Excellencies allude to the Imperial Edict before published by them, and recapitulate their orders of date 17th August, adding that no report

report has yet been made in answer. They then give the substance of sundry reports from naval and civil officers, in regard to the movements of ships from Kapsingmoon eastward, to a place called Tseenshatsuy, and also between Tseenshatsuy and Macao. This not being the direction which vessels should take to return to their countries, it is plain from their moving eastward to Tseenshatsuy, that their object is to remain lingering about, and to watch the progress of events.

The goodness of the Government in permitting the continuance of trade, under all circumstances, for a space of 200 years, is highly extolled, and the contumacy of foreigners reprobated; and it is asked, if they can suppose that while they render the Chinese seas a common sewer for the filthy opium, the Government can fail to put the laws in force against them? If in the several foreign countries, individuals of another country were, with their ships, to contravene the laws, and continue for a long time so doing, the king of the country would certainly enforce the laws against the offenders. How much more must the Government of this empire punish the contumacious disobedience of barbarians?

The King of England has been hitherto dutiful and respectful, and has plainly prohibited the conduct complained of; and, lest any of his people should bring shame on their country, has sent the Superintendent Elliot to Canton, to hold them in check. But a month has elapsed since strict investigation concerning these receiving-vessels was entered upon, and yet the Superintendent has not sent any of them away. It is to be feared, therefore, he is unfit for the situation of Superintendent. If he can willingly bear reproach, on account of these vessels, how then will he answer it to his King, or how to their Excellencies? If he will seriously consider it, he surely cannot find rest upon his bed.

Their Excellencies issue once more their commands, requiring the Superintendent to make known to those of the receiving-ships the goodness and the terrors of the Government; to lay before them the choice of weal or woe; and to call on them all immediately to return home; they also require him to report to his King, in order that the receiving-vessels may henceforth be prohibited from coming hither. Thus the good and bad will not be confounded; thus the unbounded goodness of the Emperor may be manifested, and the path of intercourse be for ever retained to those who are good among the foreigners. It would not be difficult for their Excellencies to use the power placed in their hands, and at once drive off these offenders; but they do not decline repeatedly to give admonitions, lest anything should be wanting to the faithful exhibition of their requirements, and so the display of impartial benevolence should be obstructed. But further contumacy after this, will make it manifest that words are but thrown away upon wilful offenders.

The Hong merchants finally are commanded to report, whether the Superintendent is looking on with folded arms, or whether the delay arises from the obstinacy of those on board the receiving-ships. They are warned also not to risk their fortunes and lives by negligence and indifference.

Abstract of an Edict from the Governor and Lieutenant Governor of Canton respecting contraband trading on the coast of Fuhkeen.

September 19, 1837.

THE Governor and Lieutenant Governor give insertion to an Imperial Edict just received by them from Peking, of the following tenour:—"The Governor of Fuhkeen had informed His Majesty of the apprehension of sundry persons who had been engaged in the introduction of opium, whereupon His Majesty had commanded the naval Commander-in-chief in that province to suppress all such illegalities therein. Calling to mind that there are many foreign officers and chief supracargoes at Macao, His Majesty further requires that, as often as such officers shall obtain information of the existence of a contraband traffic, it shall be their duty to send away the offending parties."

Their Excellencies require the senior Hong merchants accordingly to call upon the English Superintendent to investigate the subject; and whenever he learns of any illicit traffic, immediately to send away the offending parties for trial, according to the laws of their country; and also to prevent vessels from going beyond the prescribed bounds.

Inclosure 2 in No. 109.

Captain Elliot to the Governor of Canton.

Canton, September 25, 1837.

THE Undersigned, &c., &c., has had the honour to receive your Excellency's Edicts addressed to the senior Hong merchants, dated on the 18th and 19th September, 1837.

His Commission from his Government places the ships and subjects of the English nation trading to this port under his direction. It is his duty to use every effort to cause all British persons arriving within these limits, to respect the laws and customs of the empire; and your Excellency may be assured that he will ever zealously devote himself to those objects.

The Undersigned is not ignorant that an extensive traffic is carried on without the port of Canton by the ships of foreign nations. But he sees only the papers of British ships which arrive within the port; and he is therefore without any public means of knowing which of the ships resorting to these anchorages are British; what is the nature of their pursuits; whence they come, or whither they go.

Your Excellency has now been pleased to direct that His Majesty the King of England should be informed of the gracious will of the Emperor, requiring the adoption of measures to prevent these alleged irregular visits of British ships to the coasts of China.

It is the duty of the Undersigned respectfully, but plainly, to signify to your Excellency, that the present condition of his public intercourse with the Government of these Provinces renders it impossible, consistently with the customs of his country, that any such communication should ever arrive under the notice of the King.

The pleasure of your Excellency reaches the knowledge of the Undersigned, who is an officer, and wholly unconnected with trade, in no more authentic and formal shape than the copy of an Edict addressed by your Excellency to native merchants. He does not dare to forward the substance of information derived from such a source for submission to the throne.

In his ordinary intercourse with your Excellency, he has deferred, at great personal responsibility, to the present manner of communication, because your Excellency informed him that it was in conformity with the customs of the empire.

But in the transmission of communications to the knowledge of the King of England, it is in like manner just and needful, that due regard should be had to the customs which regulate the manner of intercourse with His Majesty.

In a late visit of a British ship-of-war to the coasts of Fuhkeen, upon public business, his Excellency the Governor of that province communicated his pleasure concerning those affairs, to certain officers of the province, and commanded them to take a copy of his Edict, and to deliver it, under their seal, to the Commander of the British ship.

That document is now in the possession of the Undersigned, and a translation of it will be laid before the King, so that the gracious benevolence of the Emperor to the distressed subjects of his kingdom may be made known to His Majesty.

If your Excellency, in your wisdom, shall judge fit to conform to this same practice, whenever it be desired to lay communications before His Majesty, all difficulty upon the subject will be removed.

The Undersigned will conclude this address, by observing, that His Gracious Sovereign has never yet been approached with representations setting forth the existence of irregularities by the subjects of his kingdom on these coasts; and

that

that His Majesty, therefore, can know nothing of any such allegations, or of the pleasure of the Emperor in respect to them.

The Undersigned avails himself of this occasion to renew to your Excellency the sentiments of his highest considerations.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 3 in No. 109.

The Governor and Lieutenant Governor of Canton in reply to Captain Elliot's request that the wishes of the Government should be communicated through the medium of an Officer.

September 28, 1837.

THE Governor and Lieutenant Governor jointly reply. The vessels having been so long anchored off the coast, that the Great Emperor has been informed respecting them,—and the Superintendent having resided for some years at Macao, how can he be ignorant of the circumstances and places of their anchorage? The address of the Superintendent is merely a specious document. The rule of the Empire is, that all commands issued to foreigners are to be enjoined through the medium of the Hong merchants. And in a matter of such importance as the present, how can obedience be refused! There is, however, some reason in the representation, that it is difficult to bring to the knowledge of his King a plain and unauthentic document. They, therefore, taking this into consideration, will adapt their proceedings to the occasion, and will instruct the Prefect of the department of Kwang-Chow, and the chief military officer of the same department, to communicate their wishes to the Superintendent, who, in obedience thereto, is to send away the receiving-ships, and also to forward information to his King, that such vessels may be prohibited coming hither again.

[Note.—The same matter appears almost verbatim in the next document, where it is translated in full.]

(Signed) J. ROBERT MORRISON,
Chinese Secretary and Interpreter.

Inclosure 4 in No. 109.

The Prefect and Commandant of Canton to Captain Elliot.

September 29, 1837.

CHOO, Prefect of Kwang-Chow-Foo, and Ta, commander of the forces of Kwang-Chow, issue these commands to the English Superintendent, Elliot, that he may render himself acquainted therewith.

On the 28th September, we received from their Excellencies the Governor and Lieutenant Governor, the following official document:—

" On the 3d August, we received from the Grand Council of State, copy of an Imperial Edict, of date July 14, of the following tenor:—

" ' Owing to the exportation of silver carried on from all the ports along the coast, and in consideration of the important bearing of this upon the national resources and the livelihood of the people, we have already, in repeated instances, declared our pleasure, requiring all the Governors and Lieutenant Governors of the provinces, faithfully to make examination and to act in this matter.

" ' To-day again, the Sub-Censor, Le Pankew, has laid before us a memorial to this effect, that there are above ten English warehousing vessels, which first, in the year 1821, entered the anchorage of Kapshuymoon, and thence in 1833, removed their anchorage to Kumsingmoon; that the importation of opium, and the exportation of silver, depend wholly on these ware-

housing vessels, which form also a general refuge for absconders; that a set of worthless fellows, in boats called "fast-crabs," going and coming from morn to night, find means to make their way stealthily into every creek and inlet; that there are depraved dealers who prepare the drug for use, buying and selling by wholesale; and, also, that the native retail dealers in foreign commodities, under the open pretext of selling articles of commerce, make secret smuggling their business, and in nowise differ from the larger preparers of the drug.

"'There surely must be a fixed place of anchorage for the vessels of the foreigners: how then is it, that, while previous to the year 1821, the clandestine establishment of warehousing vessels was never heard of, these vessels have of late been suffered to remain for whole years at anchor on the high seas, thus leading to unlawful combination between them and natives, and to unrestrained smuggling? Let it be the responsible duty of the Governor of Kwangtung and his colleagues, to give strict orders to the Hong merchants, to be enjoined on the resident foreigners of the said nation, requiring them to compel the warehousing vessels now anchored there, one and all, to return home, and not to permit them under any pretext to linger about. Let them also ascertain where are the dens and hiding-places of the opium-dealers, and inflict punishment on each individual, without the slightest indulgence. Thus the source of the evil may be closed up, and the spirit of contumacy suppressed. Let a copy of the memorial be, together with these commands, transmitted to Tang and Ke, and by them let the commands be enjoined on Wan. Respect this.'

"This having been with respectful obedience transmitted to us, the Governor and Lieutenant Governor, we have examined the subject. Opium is a poison capable of destroying life; and the pure silver may not by law be exported. The aim and object of the foreign receiving-ships is gain alone; and by presuming for a long period to remain at anchor, enticing the natives and combining with them in clandestine traffic, those concerned in these ships have greatly infringed the laws of the celestial Empire. Having respectfully received the above commands, we issued especial orders to the Hong merchants, requiring them earnestly and zealously to enjoin the same on the said Superintendent Elliot, and directing, that he should pay immediate obedience to the declared Imperial pleasure: that he should send away home every one of the receiving vessels now anchored in the various offings, and should no longer suffer them to linger about as heretofore. This is on record.

"After thus doing, we successively received reports from the Military Commander at Tapang, from the Sub-Prefect at Macao, and from the Civil and Naval authorities of Heangshan, to the effect, that there were twenty-five receiving-vessels anchored off the Motaou Islands [in Kapsingmoon], as also in the offings of the Nine Islands and Cabreta Point, and in the anchorage of the Typa; from which places they successively moved on the 29th and 30th days of August; and on the 2nd and 3rd of September, nineteen of the said receiving ships proceeding from the Motaou Islands to Tseenshatsuy offing, and two of them from the Nine Islands, and one from off Cabreta Point, to the same place; further, that on the 8th of September, two vessels moved from Tseenshatsuy to the Typa, and on the 9th, one from the same place to Cabreta Point; while only a Dutch ship, which had in the year 1834, anchored off the Nine Islands, and had at this time removed to Tseenshatsuy, weighed anchor on the 7th, and proceeded to sea, beyond the great Ladrone Island. We also received a communication from the Naval Commander-in-chief to the same effect, adding that Tseenshatsuy is to the eastward of Motaou; and suggesting the great necessity for driving off the numerous vessels which have now taken up their anchorage there.

"Now these receiving-ships come from the south-westward, and must needs return in a south-west direction; how is it then that they have on the contrary removed eastward! And why do they not remain in one place! It is manifest herein that they wish to cruize about unchecked, and to linger in the neighbourhood, to watch the progress of circumstances.

"The goodness of the Celestial Empire and its cherishing kindness are extreme. Since it first granted to all nations a general market, where

the

the commodities of all might be bartered, a space of 200 years has elapsed as though it had been but a single day. Such profound benevolence,—favours so substantial, are well fitted to penetrate the entire body, even to the very marrow of the bones. Could it then be supposed, that depraved foreigners would twist awry the laws, and to serve merely their private ends, would assume the pretence of traffic! Most lucid and clear are the sacred commands. Can any yet dare to be, as the habitual looker-on, unobservant, and still continue to linger about? And are the seas of the central flowery land to be made a common sewer for the reception of this filthy [opium]! Or shall we, entrusted with the defence and government of the frontier, be thought unable to follow such conduct with the rigour of the law? Consider, if within the territory of any of those countries, the vessels of another country were contumaciously to infringe the prohibitions, and remain for a long period there without leaving, whether the King of that nation would not regard it necessary to punish such offenders with rigour, refusing the least indulgence. How much more then the celestial Empire! How can it suffer barbarians to disobey the laws, and without restraint to throw contempt thereon?

"The King of the said nation has been heretofore, dutiful and respectful, and his prohibitions have been rigorously and clearly enacted. And being apprehensive lest merchants or seamen of vessels coming hither should infringe prohibitions, or transgress the laws, and so should bring shame upon their country, he specially sent the Superintendent Elliot to Canton, to keep them under controul and restraint. But these receiving-ships have now remained for a very long time at anchor; and though two months have elapsed since the said Superintendent has received our commands, he has not yet sent them away to their country. We fear he is unfit to bear the designation of Superintendent. If he can willingly subject himself to reproach on account of these receiving-vessels, how will he be able to answer to his King? Or how to Us, the Governor and Lieutenant Governor? Let him, in the stillness of night, reflect hereon; and if he do so, we think that he will be unable to find rest upon his bed.

"It now, however, appears, from an address presented by the said Superintendent, that he objects to the copying and enjoining of these commands by the Hong merchants, on the ground of such copied document being unauthentic, without official seal or envelope, and so not giving him evidence whereon to pay obedience to it; and also that he is apprehensive of transgressing the laws of his country. According to the established laws of the Celestial Empire, it is required, that in all matters wherein commands are given to the outer foreigners, such commands be enjoined through the medium of Hong merchants. And in this instance, moreover, the Imperial pleasure was declared, specially requiring that the Hong merchants should be commanded to give directions and to act. Can any dare, then, not to pay respectful obedience thereto? The said nation of course has its own laws. But is it imagined, that the laws of outer barbarians can be practised in the domains of the Celestial dynasty? What utter ignorance of the requirements of dignity is this!

"Yet the representation, that it is impossible for him to communicate to his Government such an unauthenticated document appears reasonable. And we, therefore, on this consideration act, on this occasion, as expediency dictates. We forthwith issue this document to you, the Prefect of Kwang-Chow-Foo, requiring you immediately, in conjunction with the Commander of forces in the department, to copy these our commands, and enjoin them on the said Superintendent Elliot, that he may act in obedience thereto. He is required speedily to make known to the receiving-vessels anchored at Tseenshatsuy and other places, the Imperial goodness, and also the Imperial terrors; to set before them the choice of weal and woe; and to urge their speedy and entire departure for their country. There must be no contumacious opposition. The said Superintendent is also to convey it to his King, that hereafter such receiving-vessels are to be prohibited ever again coming hither; and that only the merchant vessels trading in legally dutiable articles may come, while all contraband articles, such as the filthy opium, are not to be conveyed over the wide seas. Thus, the source of the evil may be closed, and the laws be held up to honour; thus, the universally beneficial and boundless favours of the Great Emperor, may, on the one hand, be conferred; and, on the other hand, the path of commercial intercourse may for ever be kept open to all good foreigners. We, the

Governor and Lieutenant Governor hold a great power in our hands, and do that which we determine to do. What difficulty should we have in driving these vessels away with the utmost rigour? Yet we refuse not to repeat our admonitions again and again, fearing lest there should be any want of perfect faithfulness, and any consequent obstruction to the display of universally impartial benevolence.

" If, after this time of issuing our commands, the receiving-vessels again collect, as though we were not heard, and continue to remain looking around them, it will be manifest that amendment finds no place in the hearts of those concerned in them; and not only will they be no longer borne with by the Great Emperor, but by their own King also, they will certainly be subjected to trial. We cannot do otherwise than pursue them with the rigour of the laws, and show forth to all the Celestial terrors. If the said Superintendent fail to pay earnest obedience hereto, he also will draw on himself investigation and expulsion. All must with trembling anxiety attend. Further, let him be commanded to report as to the periods when these receiving-vessels severally depart for their country. Oppose not! Be earnest and speedy; earnest and speedy!"

We, the civil and military authorities of this department, having received the above, forthwith copy the commands of their Excellencies the Governor and Lieutenant Governor, and send them to the said Superintendent Elliot, requiring him to pay immediate obedience.

[The remainder of the document is a repetition of the latter portion of the preceding commands, with but one addition, wherein they require Captain Elliot to report again " through the medium of the Hong merchants."]

Be earnest and speedy; earnest and speedy! A special order.

Taoukwang, 17th year, 8th month (29th September, 1837.)

A true Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Charles Gutzlaff,
Joint Interpreter.

Inclosure 5 in No. 109.

Captain Elliot to the Governor of Canton.

Canton, November 17, 1837.

THE Undersigned, &c. &c., has had the honour to receive your Excellency's Edict, dated on the 25th September, conveyed directly to him under the seals of the Kwang-Chow-Foo, and the Kwang-Heep, and he will immediately transmit it to his country by the rapid steam and overland communication from Bombay.

He has already signified to your Excellency with truth and plainness, that his Commission extends only to the regular trade with this Empire; and further, that the existence of any other than this trade has never yet been submitted to the knowledge of his own Gracious Sovereign.

He will only permit himself to add, on this occasion, that circumstances of the kind described by your Excellency, cannot be heard of without feelings of concern and apprehension: and he desires humbly to express an earnest hope that sure and safe means of remedying a hazardous state of things, may be speedily devised.

The Undersigned renews to your Excellency the sentiments of his highest consideration.

(Signed) CHARLES ELLIOT.

No. 110.

Captain Elliot to Viscount Palmerston.—Received May 15, 1838.

My Lord, *Canton, November* 19, 1837.

I NOW beg leave to resume the subject of my despatch of yesterday's date.

In the early part of this year, the project of immediately legalizing the traffic in opium was, without doubt, favourably entertained at the Court; and, situated as we are, it is impossible to detect the particular management by which the postponement of the measure may have been achieved.

We have now arrived, however, at a stage in the passage of circumstances when it appears to be necessary, that the subject should once more be drawn under your Lordship's serious attention.

The vigorous proceedings of the Provincial Government against the native smugglers at the outside anchorages in the immediate neighbourhood of this port, have had the effect of vastly increasing the traffic on the eastern coasts of this and the neighbouring provinces of Fuhkeen.

Till within the last few months, that branch of the trade never afforded employment to more than two or three small vessels; but, at the date of this despatch, and for some months past, there have not been less than twenty sail of vessels on the east coasts; and I am sorry to add, that there is every reason to believe blood has been spilt in the interchange of shot which has ever and anon taken place between them and the Mandarin boats.

The most grave result of the vigilance upon the spot remains to be described.

The native boats have been burned, and the native smugglers scattered; and the consequence is, as it was foreseen it would be, that a complete and very hazardous change has been worked in the whole manner of conducting the Canton portion of the trade.

The opium is now carried on (and a great part of it inwards to Whampoa) in European passage-boats belonging to British owners, slenderly manned with Lascar seamen, and furnished with a scanty armament, which may rather be said to provoke or to justify search, accompanied by violence, than to furnish the means of effectual defence.

I have no certain means of judging to what extent the shipping at Whampoa may be implicated in this new mode of carrying on the trade, but I am not without reason to believe, that they are so, and possibly in an increasing degree. And as your Lordship is probably aware that the Hong merchant who secures each ship, and the captain and consignee, join in a bond that she has no opium on board, it is needless to dwell upon the very embarrassing consequences which would ensue if the existence of a different state of facts should nevertheless be established.

I am disposed to believe that the higher officers of the Provincial Government are perfectly sensible of the extensive smuggling of opium carried on in the European passage-boats, and from some motive, either of interest or policy, or probably of both, they oppose no immediate obstacle to such a condition of things.

But the continuance of their inertness is not to be depended upon. Disputes among themselves for the shares of the emoluments, private reports against each other to the Court, and, lastly, their ordinary practice of permitting abuse to grow to ripeness, and to rest in false security, are all considerations which forbid the hope that these things can endure.

Setting aside, however, the interference of the Mandarins, it is not to be questioned that the passage of this valuable article in small and insignificantly armed vessels, affords an intense temptation to piratical attack by the many desperate smugglers out of employment, and by the needy inhabitants of the

neighbouring islands. And another Ladrone war directed against Europeans as well as Chinese is a perfectly probable event.

In fact, my Lord, looking around me, and weighing the whole body of circumstances as carefully as I can, it seems to me that the moment has arrived for such active interposition upon the part of Her Majesty's Government, as can be properly afforded; and that it cannot be deferred without great hazard to the safety of the whole trade, and of the persons engaged in its pursuit.

The accompanying paper was originally intended as a memorandum of matter to be framed into a despatch to your Lordship; but several considerations dispose me to hope I shall be excused for transmitting it in its present form.

That the main body of the inward trade (about three-fifths of the amount) should be carried on in so hazardous a manner to the safety of the whole commerce and intercourse with the empire, is a very disquieting subject of reflection; but I have a strong conviction, that it is an evil susceptible of early removal.

I have, &c.

(signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 110.

Memorandum by Captain Elliot.

Canton, November 19, 1837.

THE official application of the Provincial Government, which forms the subject of Inclosure Feb. 20, in my despatch No. 6, seems to furnish a proper occasion for an approach to this Government by Her Majesty's Government.

The necessity for such interposition, it may be said, is not immediately obvious. That may be the case in England, and it would be an ungrateful task to throw it into a stronger light. But at all events, I shall simply say, that it seems to me, the actual state of things cannot continue to be left to the turn of events, without seriously risking vast public and private interests, or without such deeply-rooted injury to the national character in the estimation of this huge portion of mankind, as it is painful indeed to reflect upon.

Be my impressions, however, in these respects well founded or not, it has occurred to me that the suggestion of a mode of approach to this Government may not be a useless task at the present conjuncture, and with that feeling, I submit the following proposition.

I would premise, by suggesting that the Secretary of State should address a letter, without loss of time, to the Governor of these provinces, announcing that the official paper, already adverted to, had been received, and signifying Her Majesty's pleasure to despatch a Special Commissioner to China, to inquire in what degree the evils complained of were justly chargeable to Her Majesty's subjects, and to consider by what means it might be possible to establish all things upon a safe and satisfactory footing.

I would observe, however, that it is desirable the place to which it is proposed to send the Commissioner should not be mentioned in the Secretary of State's letter to the Governor of Canton.

This communication would, in my belief, have the immediate effect of tempering the policy of the Provincial Government upon all points connected with the foreigners, and that of itself would be much to gain.

I have considered that the foom of approach by a Special Commissioner is the most convenient for several reasons.

In

In the first place, it is a description of appointment in frequent use by this Court. And as these Commissioners are understood to be persons who have particular business to perform, they are almost entirely exempted from the tedious ceremonial which must press so heavily upon the time of the higher officers of the provinces employed in their ordinary stations.

The difficulties therefore would be easily managed in respect to all points of form, which become so exceedingly perplexing in the case of Ambassadors, whose main business the Chinese consider to be the performance of ceremony. But there is a still more urgent reason for the appointment of such a functionary rather than an Ambassador. He might not only announce that this visit was one of business and not of ceremony, but signify, that he must stay where he was till it was entirely completed.

No negotiations in China, it may be depended upon, will be so successful as those which are conducted either on board ships of war, or at all events, at a place to which the ships could accompany the negotiators, and abide in perfect safety. When the Chinese perceive it is seriously intended that the ships should remain till all things were settled, they will speedily arrive at such reasonable results as shall lead to their departure.

Whilst I am upon this subject, I would presume to say, that a six-and-forty gun frigate, and a sloop, or perhaps two, with a steam-boat from India, do not appear to form a larger escort than may very properly attend upon a Special Commissioner, charged with an autograph letter from Her Majesty to the Emperor, and with the arrangement of momentous public concerns.

The point to which I would submit this officer should be sent is the Island of Tchusan. The anchorage has been well surveyed, and is perfectly safe; it is in the near neighbourhood of the great city of Ningpo, and not very far from Nanking; so that communication with officers of very high station would immediately be available.

And if events should take an unfavourable turn, the peaceful continuance of the expedition at that point till further instructions could be received from England would be easy; as well on account of the defensible nature of an insular position by a sea force, as of the capabilities of this island to support its own population and the force itself, without aid from the main land.

It is to be apprehended, that if the ships were sent at first, or were subsequently to repair to any point on the Continent, considerable numbers of troops would gradually be collected in the neighbourhood; and if no other difficulty ensued, there would probably soon be great inconvenience about the purchase of supplies, which the people of the country would be prevented from selling.

But at Tchusan, the ships would be felt to be securely situated in these respects: and the disposition to adjust upon satisfactory terms would be proportionably greater.

I would remark upon this topic, that the Commissioner might have orders to remonstrate against, and if need be, to prevent the introduction of reinforcements into the island, whilst he remained there, upon the ground that they might obstruct him in the peaceful performance of his duties; and above all, that he could not answer for the constant preservation of a good understanding between them and his own people: trifling disputes might lead to conflicts, conflicts to open war. Reasoning founded upon the maintenance of the public tranquillity is always very heedfully considered in China.

On arriving at the place of destination, I would submit that the chief native officer should be required to announce to the Governor of Ningpo, the arrival of a Commissioner charged with an autograph letter from Her Majesty to the Emperor, and a letter from the Secretary of State to the Governor-general of the Provinces, resident at Nanking, as well as to the Cabinet at Peking; and to request that proper officers might immediately be deputed to receive these last communications.

It seems to be a trifling point to notice, but I believe it is of moment, that the Commissioner should be instructed neither to see nor to give, or to receive, communications of any kind from persons deputed by the Governor of Ningpo,

till he should have most carefully ascertained through his interpreters, that they were officers of at least the third rank, if civil; the second rank, if military.

The letters of the Secretary of State to the Governor General, and the Cabinet at Peking, might signify in general terms, the cause and objects of the Mission, and request that their Excellencies would move the Emperor graciously to appoint Commissioners of the first rank to receive Her Majesty's letter; and other special officers to confer with him on the business of his visit, in order that he might speedily complete it, and sail back to his country as soon as it were satisfactorily arranged.

In determining upon the propriety of moving to any other place to which he might be invited to proceed by the Emperor's command, I would say the Commissioner should be guided by the affirmative of two propositions.

First. That the ships should accompany him, and remain in perfect safety.

Secondly. That the place was nearer to the Court than Tchusan.

But my own very forcible impression is, that it would be the safest and most hopeful course, to instruct him not to quit Tchusan at all till all things were surely adjusted.

If the Emperor, when all matters were concluded, required him to proceed to the Court, I would say that the visit should be preceded by a convention, plainly defining the manner of his reception, and guaranteeing his safe and becoming return, at any moment he thought fit, to the station of the ships.

It is not probable that a visit to the Court will be invited, and in my judgment, it had better be avoided, except it be very urgently pressed.

If the Commissioner were required to proceed to Canton and place himself in communication with the Governor there, it might be answered that he had no letters of credence to that functionary (a point the Chinese perfectly understand), and that his orders forbid him to communicate with him.

If all intercourse at any other point than Canton were obstinately refused (and there, it would be idle to go), I would submit that the Commissioner should be instructed to declare, that he had orders to take post where he was, till further directions could be received from England.

And that he should forthwith manifest an earnest determination to secure himself in a safe attitude.

Whilst I am upon this point, I would say that the arrival of a transport or two at Tchusan from India, with supplies and stores for the ships, would probably produce the best effect in hastening the movements of the Chinese Court in a favourable sense.

When officers from Peking had arrived, and communications were opened, I would propose that the Commissioner, after the verification of the grounds of complaint, should explain how impossible it was Her Majesty's Government could take the steps which had been urged by the Chinese, and how futile they would have been if their enactment were practicable.

More than one-half of the opium imported into China, it might be shown, came from places not in the dominions of Her Majesty. And Her Majesty, therefore, had neither the right nor the power to forbid its importation in foreign bottoms. Again, it might be asked, with such a vast proportion of the opium foreign-grown, what means were there of preventing the whole of the British-grown opium being sent to places out of Her Majesty's dominions, and thence exported to China in foreign bottoms?

From a person in my position, all reasoning of this description would be out of place. It is my plain duty to adhere to the principle that this is a subject with which I have no concern. But the arguments of a Commissioner specially appointed to treat the matter, would be attentively considered; and I think those may be urged which would lead not only to the early legalization of the trade (a trade that is carried under circumstances which are very discreditable to us), but to other important relaxations.

I believe it would be salutary to announce, that Her Majesty being without

out the power to prevent or to regulate this trade, anxiously desired its legalization; so that all men who visited the Empire of China might be within the controul of the laws.

The natural consequence of the present system, it might be said, was the corruption of all, high and low, and the infesting of the coasts with evil men, both foreign and native.

It organized vast masses of people in the practice of law-breaking; and how soon they might pass from one state of lawlessness to another, no one could foresee.

The regular trade was no longer safe without special and powerful protection, for it was notorious, that depredation of the most flagrant nature upon innocent men, attended with frequent loss of life, took place every week in the year (by armed boats, having the Government authority), upon the pretence of searching for opium.

Another point remains to be particularly insisted upon. The Imperal Government had frequently menaced the entire extinction of the regular trade, on account of this illicit traffic, which it was plain Her Majesty had no means of preventing.

Threats so urgent and so hostile, furnished an irresistible reason for the constant presence of a protecting force. It was impossible to say how soon the life and property of innocent men might fall a sacrifice to the violence of the Government itself, if none were on the spot.

It might therefore be declared, in conclusion, that whilst things remained as they were, Her Majesty had no other resource than to leave a naval force on the coast, in order that the peaceful subjects of Her dominions, carrying on a lawful trade, should not be hindered or injured in their pursuits.

Upon the whole, it seems to me, that the time has fully arrived when Her Majesty's Government should justly explain its own position with respect to the prevention or regulation of this trade; give its own counsels, or take its own alternative course.

Neither does it appear to be unsuitable, that the same occasion should be taken to attempt such further relaxations in point of general intercourse and regular commercial facility, as may be deemed advisable.

In these last respects, I would say, that the Commissioner should rather be instructed to gain all he can, than be furnished with precise points for insistance.

The Chinese would probably refuse whatever is asked, merely because it is asked, and offer more than was expected, because the proposition came from their own side.

Every arrangement of this kind should undoubtedly be accompanied by the proposal of a reasonable scheme for the controul and government of Her Majesty's subjects in their intercourse with each other, and with the people of this empire.

(Signed) CHARLES ELLIOT.

No. 111.

Captain Elliot to Viscount Palmerston.—(*Received May* 15, 1838.)

My Lord, *Canton, November* 29, 1837.

I HAVE the honour to acknowledge your Lordship's despatch, of June 12, 1837, which reached me, at this place, on the 21st inst.

The first point for consideration was a new mode of superscription; and after some time it was determined to substitute for the character *Pin*—the further use of which your Lordship had forbidden—the following characters: Tae with the Tseen characters, Ching on the side of the Shang address; the

whole meaning, as nearly as it can be literally translated, "Presented before his high place."

Agreeably to the genius of this language, and the usages of Chinese politeness, some form of superscription is necessary beyond the bare title of the functionary to whom a paper be addressed. And as the characters now selected are not in use for such purposes by Chinese officers, and involved no signification to which I believed her Majesty's Government would object, the accompanying note to his Excellency was sealed up, and superscribed in the new form.

The senior merchants themselves were of opinion, that his Excellency, taking into consideration the instructions I had now received, would consent to this modification in the manner of the address.

He opened and read it attentively; but, after some consideration, wrote upon it with his own pencil, the words "Cannot be permitted," and desired the merchants to return it to me with that comment.

I now felt that it was proper to adopt some more formal mode of signifying to his Excellency, that I was acting under instructions just received. And I therefore prepared the accompanying note (superscribed as Inclosure No. 1 had been), and sent it to the city gate by the hands of Messrs. Morrison and Elmslie, desiring them to deliver it to the Kwang Heep, and to wait till that functionary had reported to them that it had reached his Excellency's hand.

This was accordingly done; and on the next day (the 26th), the merchants brought me, by his Excellency's command, an edict addressed to them in reply to my note delivered at the city gates.

I refused to receive it. But they said, in the course of conversation, that it was a very courteous explanation of his Excellency's obligation to adhere to ancient custom in the respect of intercourse with the foreigners.

I observed that it was not my purpose to discuss with them. His Excellency, I presumed, was acting upon his orders as I was upon mine. But I added, that at a proper time, and to proper persons, there would be no difficulty in showing that, according to ancient custom, the intercourse between officers had always been directly official.

I then handed them a third note; but they returned it the next day (the 27th), saying that his Excellency had declined to receive it on account of the alteration in the manner of the address.

I remarked, that the Governor had already opened two under the like form of address—one taken to him by the Kwang Heep; and I was afraid the present refusal would be very ill received by my own Government, and form a just ground of complaint against him to the Emperor, which would be difficult of satisfactory explanation upon his Excellency's part.

The merchants at once admitted, that in their opinions his Excellency had made a considerable mistake in this respect: he should either have refused the first, or have taken all the papers.

I closed my communication with the merchants, by placing in their hands an open paper, under my seal of office, precisely to the same effect as the Inclosure No. 3; telling them that they might lay it before the Governor, or not, as they saw fit: at all events, I should strike the flag, and proceed to Macao in the 2nd prox.

They urged me to stay, and held out hopes of adjustment; but I said I had fulfilled my instructions. And looking around me I saw enough of reason to anticipate serious difficulties, and to be glad to be out of Canton whilst I could neither communicate with the Governor nor learn his pleasure; and was thus deprived of all means of preventing or remedying disaster.

They then hinted that the Governor did not seem to consider there was any insuperable objection to yielding the point of direct official intercourse. But he desired them to say, that he could not sanction any change in the superscription of my addresses.

I merely remarked, that my orders were positive on both points, and must be strictly observed.

It is proper to add a word in explanation of my reason for proposing the continuance of the manner of direct official intercourse, which was pursued in the case of the Inclosure No. 4 of my Despatch of November 18, 1837.

In the former discussions with the merchants upon that subject I had avoided a proposal of a visit from the Kwang Chow Foo and the Kwang Heep, for

for the purpose of verbally communicating his Excellency's pleasure, because I was apprehensive such a mode of intercourse might grow into practice.

But, in the event of difficulties, I knew how easily the Governor would always declare that the officers who had made the verbal communications had misunderstood his meaning; and, upon the whole, it appeared to me to be of great moment in this business to keep hold of a system which supplied us with the exact written words of the chief authority of the province.

Direct written communications from the Governor to a person in my station, your Lordship may be assured are impossible of attainment till her Majesty's officers are here supported by the presence of force; and then it is certainly probable that the point may pass without much difficulty.

In my present circumstances I was satisfied to take copies of his Excellency's edicts, attested under the seals of the Kwang Chow Foo and Kwang Heep, and forwarded direct to my address by those officers; the more so as this course of communication was perfectly compatible with the terms of your Lordship's Despatch of 22nd July, 1836.

The Inclosure No. 4 is a circular I have addressed to the British subjects resident at Canton on this date.

It is my purpose to forward to your Lordship a separate Despatch, in further reply of the Despatch of June 12th, 1837, and I therefore confine myself on this occasion to a mere report of proceedings.

I hope your Lordship will consider that the good understanding which continues to subsist between the Governor and myself, notwithstanding the interrupted state of the communications, is a source of satisfaction. He desired the merchants to inform me that he entertained a respect for me, and that he had reported in that sense to the Emperor.

The trade is proceeding tranquilly for the present; but the vast opium deliveries at Whampoa, under extremely hazardous circumstances, may certainly, at any moment, produce some grave dilemma.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 111.

Captain Elliot to the Governor of Canton.

Canton, November, 23, 1837.

THE Undersigned, &c. &c., has the honour to make the following statement for the information of your Excellency.

He has now received Despatches from the Government of his nation, severely censuring him for receiving any communications from the officers of this Empire not directly addressed to himself. And he is now peremptorily ordered to signify that he has received these special commands to return them, except they be officially and directly addressed to himself.

He is further commanded to observe that the British Government means no disrespect to your Excellency's high dignity in desiring the undersigned to discontinue the use of the character *Pin* on his addresses to your Excellency.

These orders, he is instructed to say, are founded on the fact that such a mode of address, by an officer commissioned by the English Sovereign, is not congenial with the customs of his nation.

Your Excellency, in an elevated station, and practised in public affairs, will know that the undersigned does not dare to disobey these strict commands of his Government, and that he could not presume to propose any changes upon less urgent grounds than are now faithfully stated.

If your Excellency shall think fit always to forward your pleasure directly to the address of the undersigned, through the Kwang Chow Foo and the Kwang Heep, as was lately done, and will further consent to receive his respectful addresses in reply, without the specification of the character *Pin*, all difficulty will be removed.

The Undersigned concludes with sentiments of highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 111.

Captain Elliot to the Governor of Canton.

Canton, November 25, 1837.

THE Undersigned, &c., &c., has received very important instructions from one of the Great Ministers of his nation, which he is specially ordered to make known to your Excellency.

The least mistake or omission in the communication of these instructions might be attended with unhappy consequences. And he has therefore the honour to request that your Excellency will be pleased to command the chief civil and military officers of the district * to repair to his residence, and having examined all things, and taken a faithful copy of the Minister's letter, to convey to your Excellency a full and clear statement of the particulars.

According to the regulations, the Undersigned cannot wait upon these officers at their residences in the city, and he has therefore requested that they will visit him here.

The Undersigned concludes with the expression of his highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure 3 in No. 111.

Captain Elliot to the Governor of Canton.

Canton, November 26, 1837.

THE Undersigned, &c., &c., has this day received back his statement of the 23rd instant, with your Excellency's notification that the arrangements he had the honour to submit, in conformity with the orders of his Government, cannot be permitted.

These commands are peremptory, and the Undersigned does not dare to disobey them in the least degree.

Your Excellency's decision, therefore, will have the effect of interrupting the communications till further orders can be received from England.

Under these circumstances, the Undersigned most formally declares himself free of all responsibility in the adjustment of any difficulties or disputes which may arise; and he will immediately announce to the merchants of his country that such is the case.

The Undersigned concludes his intercourse with your Excellency with the expression of his highest consideration, and with sincere wishes for your Excellency's happiness.

(Signed) CHARLES ELLIOT.

Inclosure 4 in No. 111.

Captain Elliot to the British Subjects resident in Canton.

Gentlemen, *Canton, November* 29, 1837.

I HAVE recently had the honour to receive instructions from Her Majesty's Government, directing me to make a communication to the Governor of these Provinces, concerning the manner of my intercourse with His Excellency.

The Governor has declined to accede to the conditions involved in these instructions; and whilst these difficulties subsist, all communication between us has necessarily ceased. In this posture of circumstances, I can only assure you, Gentlemen, of my sincere disposition to afford you any public assistance in my power, either in the form of counsel, or in any other way which may be consistent with my situation.

Neither

---

* The Kwang Chow Foo and the Kwang Heep [the Prefect and Commandant of Police.]

Neither can I conclude this letter without respectfully and earnestly suggesting to you the expediency of taking this occasion to draw from the Provincial Government a definite explanation of its intentions with relation to your claims against the Hingtae Hong; claims, it will be remembered, which have been examined and certified in strict conformity with arrangements required and sanctioned by this Government.

It seems to me to be a matter of considerable importance to the general interests of the trade that my report to her Majesty's Government, detailing the interruption of the public communications, should be accompanied by a statement of your own position in respect to these particular claims.

I will only detain you, Gentlemen, to offer you the expression of my best thanks for the courtesy and consideration which I have always received at your hands.

I have, &c.,
(Signed) CHARLES ELLIOT.

No. 111.

Captain Elliot to Viscount Palmerston.—(Received May 15, 1835.)

(Extract.) *Macao, December* 4, 1837.

IN my mind, my Lord, the peaceful establishment of direct official intercourse is no longer of questionable or difficult accomplishment.

The principle that officers were not to reside in the Empire, has been formally renounced by the Emperor himself, and that was the main obstacle; the clearest admission of my right to direct sealed communications with the Governor upon the ground of my official character, has been conceded; an official mistake in an edict describing me to be a merchant, has been publicly acknowledged and corrected; facilities (especially upon the plea that I was an officer, and involving a direct official intercourse with the Mandarin here) have been accorded; striking proofs of the disposition to devolve upon me in my official capacity the adjustment of all disputes, even between Chinese and my own countrymen, have been afforded. On one occasion, the Provincial Government has already communicated with me in a direct official shape, and upon my late departure from Canton, it was easy to perceive that the Governor was prepared to fall entirely into that course, upon the condition that I should waive the proposed change in the superscription of my addresses.

When to these circumstances be joined the consideration that the Provincial Government has now been accustomed to a measured mode of official address, which it is certain has been more agreeable to it, than the less guarded tone of irresponsible individuals, I think I may say that it is probable the communications will be opened upon the required footing before the replies to these despatches can arrive.

But at all events, I entertain a persuasion that a letter from your Lordship to the Cabinet at Pekin, written by Her Majesty's command, and sent to the mouth of the Pei Ho, in a ship-of-war, would at once draw from the Emperor an order for the concession of the point.

Your Lordship's letter might be sent here for translation; and if the communications were open, authority might be given to me to return it to England.

If Her Majesty's Government, however, should be of opinion that the proposition contained in my despatch of November 19, 1837, were deserving of attention, perhaps the object of direct official intercourse might form a part of the instructions to the Special Commissioner.

No. 112.

Captain Elliot to Viscount Palmerston.—(Received May 15, 1838.)

My Lord, *Macao, December* 7, 1837.

THE Edict I have now the honour to forward, reached me on the day before your Lordship's despatch of 12th June, 1837.

I had drafted the accompanying note in reply, but the interruption of the communications prevented me from transmitting it.

Perhaps your Lordship may be of opinion, that the menaces to stop the regular trade, and to expel me from the empire, involved in this Edict, strengthens the reasoning submitted in the memorandum inclosed in my despatch of the 19th ult., in the advocacy of immediate and earnest approaches to this court by Her Majesty's Government.

The language in which the stoppage of the regular trade is threatened, if the opium ships have not sailed away in a month, is of questionable construction.

It would rather seem to imply, that the Emperor shall be moved to sanction the stoppage of the trade in a month, than that the trade itself should be stopped in a month.

The original text has been very carefully translated; and Mr. Morrison concurs in my opinion, that a dubious interpretation is purposely intended; that is to say, that the foreigners should in the first place understand, that the trade was to be stopped in a month, failing the departure of the opium ships; and if the menace should be of none effect, that his Excellency might shape his conduct upon the more moderate reading, namely, seek the Emperor's sanction in a month hence to close the holds.

Before His Imperial Majesty's commands could arrive, the trade of the season would have been completed.

The whole state of circumstances, however, connected with this opium question is in a condition of such uncertainty, that it is impossible to divine what is meant; and, indeed, it is not difficult to conceive, that the Government itself does not know what it means, but is, in point of fact, wandering, without fixed purpose, from project to project, or, it might more properly be said, from blunder to blunder.

In the midst of all this incoherent conduct, it seems to me to be highly necessary, for the protection of British interests, that a small naval force should immediately be stationed somewhere in these seas.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 1 in No. 112.

The Prefect and Commandant of Canton to the Hong Merchants.

TANG, Governor of Kwangtung and Kwangse, and Ke, Lieutenant Governor of Kwangtung, &c., &c., &c. Having before received a despatch from the Council of State, communicating an Imperial Edict which had been respectfully received, on the subject of driving away the opium receiving-ships, We, the Governor and Lieutenant Governor, have already given particular orders on this subject. We prescribed a period, and commanded the said merchants to enjoin it earnestly and impressively on the Superintendent Elliot, that he should require the receiving-ships to take their departure. So long a time as two months have now elapsed, and those receiving-ships remain still at anchor as before. And the said Superintendent having plainly represented to us, that the commands so enjoined could not be brought by him to the knowledge of his King, we also directed the civil and military authorities of the department of Kwang-Chow, to make a copy of our joint commands, and to enjoin the same on the said Superintendent; that in obedience thereto, he might with speed send away the receiving-ships, and require every one of them to depart and return to their country; also, that he might make it known to his King, in order that their return may for the future be interdicted. This is on record.

Now

Now, it appears, from the several successive reports and examinations of the Commander of the Tapang Squadron, the naval and civil authorities of the district of Heangshan, and the Sub-Prefect residing at Macao, that the various receiving-ships have not yet taken their departure. This is a gross act of contumacy and contempt.

We have now again received the following Imperial Edict:—

"Tang and his colleagues have presented a Memorial, in reference to measures taken for driving away the receiving-ships, and to regulations determined on for apprehending and punishing the brokers and smugglers of opium. It appears from this Memorial, that the receiving-ships of the English and other nations have, of late years, under pretext of taking shelter from the weather, been in the practice of entering the inner seas. Commands have now been issued to the Hong merchants, to be by them enjoined on the Superintendent of affairs of the said nation, requiring that all the receiving-ships anchored off Lintin and other places, be sent away and ordered by him to return to their country; and that they be not allowed as before to remain lingering at anchor. The senior Hong merchants have also been commanded, as soon as the receiving-ships start to return to their country, immediately to report the circumstance, that it may be authentically ascertained by examination. The class of 'fast-crab boats' has been completely swept away; but there are yet many smuggling boats under various other designations. These, as well as the depraved gang of brokers, it is indeed impossible to suffer to continue their unrestrained courses. The military officers of the circuits and departments, and all the Vice Admirals and Commanders of Squadrons, have, therefore, been directed to set an example to all their subordinates, and to keep up a constant and unbroken guard for the purpose of discovering and apprehending the guilty.

"The anchorage of foreign ships in the inner seas, and their combining with natives, to introduce what is contraband, are the most aggravated evils now existing in the province of Kwangtung. The Governor and his colleagues, aforesaid, must faithfully and strictly make examination, and clearly ascertain, whether, since they have issued these orders, the said foreign Superintendent has or has not paid obedience to them; and whether the receiving-ships have or have not taken their departure; they must require the ships, one and all, to return to their country, and must not suffer them to linger for a moment. If they dare to suffer gradual encroachment, and to let the matter rest, at a future day, when I, the Emperor, on inquiry hear of it, or am by any one informed thereof, the said Governor and his colleagues alone will I hold responsible. In regard to the various classes of smuggling vessels, it is still more important that measures should be adopted with strictness to make seizure of them, with the hope that they may be utterly destroyed and rooted up. Nor must they, when perchance they have made a few seizures, forthwith declare that they have entirely succeeded in removing them, and so still occasion a continuance of the evil. Respect this."

It is our duty immediately to pay respectful obedience to this, and to issue orders, commanding the obedience of others. We, therefore, forthwith issue these commands. When they reach the said Hong merchants, let them immediately enjoin them upon the said Superintendent Elliot, that he likewise may obey the same. He must, within the space of one month, pay respectful obedience to the declared Imperial pleasure, by sending off various receiving-ships anchored in the outer seas, requiring them, one and all, to return to their country; and he must report their departure for our official investigation, that we may report the same to the throne. If they dare again, in any measure, to linger, then the kindness and tenderness of the Celestial Empire having been carried to the utmost, and their being no room left for additional favour, it will remain only to display the celestial terrors, and to make apparent the glory of the established laws. We shall have to report plainly to the Great Emperor, that the merchant ships may be denied permission to open their holds, and that grasping the laws, we may pursue with them the receiving-ships. And further, seeing that the said Superintendent, in the discharge of his official duties, sits hand-bound idly looking on at the unrestrained and illegal practices of depraved foreigners, even kicking against our commands, and resisting the Imperial pleasure, we shall find it difficult to believe that he is not guilty of the offence of

sheltering and giving license to these illegalities. We will assuredly proceed to expel him, and drive him back to his country.

We, the Governor and Lieutenant Governor, will, in the maintenance of the laws, stand firm as the hills, and of a surety, will show no indulgence. The said senior merchants are men to whom the Imperial pleasure has allotted the duty of conducting forth this matter. If then, they cannot, within the stated period, guide and instruct these foreigners in the path of duty, and if the various receiving-ships continue to look around them to view the course of events, and still remove far off the day of their departure, in that case they shall also be degraded, and their offences shall be visited with severity. Tremble at this—intensely, intensely!

Taoukwang, 17th year, 10th month, 22nd day (20th November, 1837.)

Translated from the Chinese,

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 112.

Captain Elliot to the Governor of Canton.

Canton, November 21, 1837.

THE Undersigned, &c. &c., has had the honour to receive your Excellency's Edict of the 20th instant, addressed to the senior Hong merchants, declaring that the general trade shall be stopped, and that he shall be driven forth from the Empire, if he does not send away and report the departure of the opium ships within the space of one month.

He has already faithfully and plainly signified the nature of his situation with relation to the ships declared to trade in opium. And he now again announces in distinct terms, that he has no authority to pursue the course indicated in the Edict of the 20th.

Your Excellency is, in all respects, the fit judge of your own duties and responsibility, and it certainly consists with your Excellency's power to adopt these, or any more violent measures which may be determined upon.

The Undersigned has only to remark upon this subject, that it will be his immediate duty to report to Her Majesty's Government, and to the Government of India, the menaces of an interrupted commerce, and of his own expulsion from the Empire; because he cannot, within the space of one month, carry into effect extensive measures, which your Excellency knows he is without authority or power to take at all.

It is to be feared that this intelligence will occasion extreme distress to distant men, and too probably, serious misunderstandings between the two Governments.

Upon these grave considerations, it is not the province of the Undersigned to do more than touch, and he will, therefore, only avail himself of this occasion to renew to your Excellency, &c. &c.

(Signed) CHARLES ELLIOT.

No. 113.

Captain Elliot to the Foreign Office.—(*Received May* 24, 1838.)

(Extract.) *Macao, January* 18, 1838.

THE boat of a Mr. Just (a British subject, and a watch-maker, resident at Canton) was visited a few evenings since, being then about two miles above the Factories, by some Mandarin runners, and there they discovered three cases of opium. This is the first instance, for many years, of a searching visit on board European boats, and it is to be apprehended the practice may be inconveniently extended: the more so, as several of these boats are armed.

It seems that this affair might have been settled on the night it happened, by a bribe of 2,000 dollars to the seizing officer, but Mr. Just would not go beyond the half of that sum. On the next day, the matter necessarily fell within the knowledge of a wider circle of Mandarins, who would all require bribery to keep the business out of the Viceroy's public sight. In due course, therefore, the demand for bribes amounted to 6,000 dollars; and at the date of the last advices from Canton (the 16th), the affair was still unfinished, and the terms for accommodation were rising rapidly. If the seizure is publicly reported to the Viceroy, it will lead to some serious mischief; and at all events, the Hong merchant, who is the landlord of Mr. Just's house (and who has no more to do with the business than I have) will be a severe sufferer.

No. 114.

Captain Elliot to Viscount Palmerston.—(*Received June* 4, 1838.)

My Lord, *Macao, February* 5, 1838.

THE paper I have the honour to inclose, is a Memorial from the Provincial Government to the Emperor, regarding the contraband trade; and proposing the stoppage of the regular commerce, till the opium-receiving ships shall have finally taken their departure from Lintin and the neighbouring anchorages.

This document, to which the Chinese appear to attach considerable importance, left Canton for the Court, towards the end of December, so that the answers may be expected in the course of a few weeks. And I have been led to understand, it is possible that the same despatches will furnish the Provincial Government with instructions, in reply to the report of my retirement from Canton.

In my judgment, the interruption of the trade is less likely to ensue from the commands of the Court, than from some grave disaster arising out of collision between the Government craft and our own armed boats on the river.

Loss of life in a conflict of that kind, would at once compel the Government to adopt the most urgent proceedings; and the actual condition of circumstances, certainly renders such a catastrophe probable in the very highest degree.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure in No. 114.

Memorial from the Governor, Lieutenant Governor, and Hoppo, to the Emperor, regarding the existing state of the contraband Trade, &c.

THE Governor, Lieutenant-Governor, and Hoppo, forwarded on the 30th of December, 1837, a joint memorial to the Emperor, respecting the measures adopted against the receiving-ships, the actual condition of those ships, and the repeated seizures made of sycee silver and opium, and of the boats which supply the ships with provisions, in answer to the Imperial Commands. They intreat His Majesty graciously to condescend to examine these subjects.

We received, in the month of October, through the Grand Council of State, an Imperial decree, of the following tenor:—

"Tang and the others (the Lieutenant Governor and the Hoppo) have sent in a report, from which it appears, that they had given orders to drive the receiving-ships away, and adopted measures to seize the opium dealers and smugglers.

"The English receiving-ships and merchantmen, with those of other nations, under pretence of seeking shelter against storms, have, of late years, sailed into the inner seas. The Hong merchants were, therefore, ordered to enjoin it upon the Superintendent of the said nation, that he should make all the receiving-ships, anchored at Lintin and other places, return to their country, and should not permit them, as formerly, to remain at anchor and loiter about. As soon as the receiving-ships should get under weigh to return to their country, the Hong merchants had orders to report the same.

"It is found, on examination, that an entire clearance of the fast boats [a class of smuggling boats] has been made; but the various classes of vessels still engaged in smuggling, are yet numerous; and their nefarious practices, as well as those of the opium dealers, are such as cannot be permitted to go on. Therefore orders have been issued to the civil as well as naval authorities, diligently to direct the cruizers under their command, in making careful search and seizing all such offenders.

"One of the greatest evils under which the province of Canton groans, is, that barbarian vessels, anchoring in the inner seas, form connexions for smuggling. The Governor and the others ought to investigate carefully, whether the said foreign Superintendent has indeed obeyed the injunctions, and the foreign ships have now sailed, or not: and they must, by all means, compel them all to return home without delay. If, however, they dare to compromise this matter, and I, the Emperor, should afterwards, upon inquiry, hear of it, or any one should bring an accusation to that effect, I shall, in that case, only hold the said Governor and his colleagues responsible. The most severe measures must be adopted against the smuggling craft, that their seizure may be effected; and my expectation is, that they may be extirpated, root and branch. After having made an occasional seizure, do not immediately say, that you have annihilated the whole, and so leave room for continued illegalities and crimes.

"Acquaint with these orders, Tang and Ke, and let them transmit the same to Wan (the Hoppo). Respect this."

[Here ends the quotation of the Imperial Order recently received, to which the authorities make the following reply.]

We, your Ministers, read this, in a kneeling posture, with deepest veneration, admiring the care bestowed by your Majesty upon a corner of the sea, and the earnest desire shown to remove with energy, the existing evils.

Having carefully examined the charts of the inner and outer seas, we find that the Ladrone Islands constitute their boundary. Beyond them is the wide and boundless ocean, the black water of the foreign seas, which are not under the controul of the central territory. Inside of them, at the offings, for instance, of Lintin, the Nine Islands, and other places

are

are the "outer seas," which are under the jurisdiction of Canton. Where the sea washes the shore of the interior districts, it is called the "inner sea," and of such inlets Kumsingmoon affords an instance. Barbarian ships, since 1830, under pretence of seeking shelter from the winds, have sailed frequently in Kumsingmoon, during the fourth and fifth months, and remained at anchor there until the ninth. As soon as the north wind set in, they removed to Lintin and anchored there. In the winter of last year, we prohibited this most severely, and also erected a battery at the entrance, whilst we stationed there a naval squadron to prevent most strenuously the ingress of the ship. No barbarian craft, therefore, entered, but they continued to anchor at Lintin and the adjoining places. Whilst, thus, no receiving-ship now remains in the "inner seas," it is nevertheless a fact, that they still exist in the "outer seas."

Formerly, in regard to the receiving-ships anchored in the outer seas, the commanders of the cruizers always stated, that their coming and going were so uncertain, that their actual number could not be ascertained. We, your Ministers, however, conceiving that the names and number of the receiving-ships were generally known, and that it was requisite to obtain accurate information regarding them, before adopting measures against them, would not permit them thus to conceal the facts, and refrain from speaking out freely; thus "to close the ear while the earrings were being stolen." We, therefore, last year, gave orders to all the naval cruizers, to ascertain their exact numbers, and if, from time to time, any newly arrived or went away, and to present reports regarding their movements every ten days. They communicated the result of their investigation, having found, after due examination, that there were altogether twenty-five sail, which had staid there for a long time. The greater number were English country ships; and there were, besides, vessels under the American, French, Dutch, Manilla, and Danish flags, of each from one or two, to three or four. Some came, and others went, but their average number did not exceed this. These, then, are the facts as to the existing number of the receiving-ships.

When, in obedience to the Imperial Orders, we had issued, this year, our strict injunctions to the said Hong merchants and the Superintendent Elliot, to send these ships back to their country, a naval Captain subsequently reported, that in September, one single ship, a Dutch one, had lifted her anchors and sailed out beyond the Ladrone. The truth of this we have ascertained by inquiry. Since, however, only one vessel had left, we could not then report the circumstance; for the remainder, although they also had hoisted their sails, and lifted their anchors, yet, moving some to the east, and others to the west, they had none of them proceeded beyond the Ladrone Islands. Though unwilling to offer contumacious disobedience, yet they cannot refrain from lingering about, indulging hopes and anticipations. For these are not matters of one year alone, nor are the vessels from one country only. Though the opium is contraband, yet to them it is a property highly valuable; and these depraved barbarians, hankering after gain alone, are therefore unwilling to throw this commodity away, and use every possible expedient and means to obtain some temporary respite. This is the true cause why it is yet a fact, that all the receiving-ships have not within the allotted period sailed away.

We, your Ministers, are under the highest obligations, for having been vouchsafed the great and high favour of being entrusted with the command of the sea-coast; and our duty is to eradicate every depraving and vicious practice. We received, on a previous occasion, the expression of your Majesty's pleasure, enjoining us to issue severe orders to the Hong merchants, in regard to the sending home of the receiving-ships. We have now again received a proof of your Majesty's condescension in investigating these matters; and, burning with the deepest anxiety, we are filled with fear and trembling. Having again issued severe orders to the merchants, Howqua and the others, to command the instant departure of these vessels, they reported to us, that the Superintendent Elliot would not give them precise and true answers to this requirement, and that, in reply to their inquiries addressed to the foreign merchants, they were told, that the receiving-ships were not the property of those merchants, and it was, therefore, out of their power to drive them away. Thus, they on all hands make excuses, and again seek for delay.

We, your Ministers, have on examination, found that, according to law, whenever foreigners prove refractory, the trade ought to be stopped, in order to give a fair warning and merited punishment. As they are thus determinate in pursuit of gain, and can come to no resolution [to send away the ships] there ought to be a temporary stoppage of the trade, in order to cut off their expectations. Yet, so many nations participate in this commerce, while the receiving-ships belong only to a few States, that due investigation ought to be made, so as to distinguish between them, and to prevent good foreigners from suffering by this measure.

We have, therefore, ordered the Hong merchants to inquire, how many nations have hitherto had commercial intercourse? how many amongst them have traded honestly, and had no receiving-ships? and how many there have really been possessed of such ship? We directed them to send in a distinct and clear statement of these matters, for our guidance in adopting measures.

We, at the same time, gave the strictest orders, that they should again enjoin your Majesty's strict commands upon the resident foreign merchants, not permitting them to make excuses to obtain delay and extricate themselves from this dilemma; but threatening, if again they should prove dilatory, and still should nourish hopes, that the hatches shall be immediately closed, and a stoppage of the trade ensue. We desired those foreign merchants to consider fully, whether it be better that they suffer these receiving-ships still to exist, or that they should continue to reap for ever the advantages of a free [legal] commerce,—to weigh well, which of these two things will be the gain, and which the loss, we desired that they should carefully make their election, and that they should no longer, by persevering in their blindness and refusing to be awakened, bring upon themselves cause for bitter repentance.

We find, on examination, that every nation earns a subsistence by this trade. All the merchants run together bringing hither their goods to exchange for our commodities. They certainly will not consent to throw away their property by waiting here at a ruinous loss of time. The rhubarb, the teas, the porcelain, the silk, and other articles of this country, are moreover necessary to those nations. On account of disturbances created by barbarians, in 1808, and in 1834, the hatches were closed, and afterwards they earnestly supplicated to have them re-opened. Hence it appears, and past events fully prove it, that the various nations cannot withdraw themselves from looking up to the flowery central land. If they be now intimidated, therefore, by the stoppage of trade, they will probably no longer allow the receiving-ships to remain, lest by such contumacious conduct they effectually damage their means of livelihood. And if in this way they be indeed aroused and awakened, and the vessels be sent away by them, then matters will fall into their former quiet course, and there will be no need to take any further measures. If, however, they, with inveterate obstinacy, still offer open defiance to the laws, it will then be for us to adopt new expedients, and propose to the Court other measures for their punishment.

We have, while suggesting this course, written at the same time to the Naval Commander-in-chief of the province, that he may, in concert with the captains of the cruizers, himself adopt measures for expelling the receiving-ships; and have earnestly desired him to watch carefully their movements, and to instil into them a wholesome terror and dread; not to allow any to be careless and neglectful of their duty; nor yet to commit such blunders as may give rise to affrays and strife. It is our confident expectation, that these steps will be attended with advantage.

We call to mind, that the receiving-ships anchored in the outer seas, need a daily supply of the necessaries of life, for which they are dependent on our country. Worthless vagabonds from the coast are accustomed to embark in small boats, pretending to go out fishing, whilst they in fact put a variety of provisions and other articles on board, and go to the ships to sell them: these are called 'bum-boats.' The depraved barbarians, while they can look to these for supplies, are thereby enabled

to

to prolong their stay: but if these supplies were cut off, we might succeed in getting rid of them.

We, your Ministers, have for some time past, made seizure of opium dealers and smugglers of every description, without mercy, in order to prevent the exportation of Sycee silver and the importation of opium, and thus to put a stop to this contraband traffic. We have now also given orders to capture these bum-boats, and not to permit them to have communication with the ships on the outer seas, in order that we may cut off the supplies of those vicious men. The said barbarians will then have nothing to hope for; their expectations will be groundless; matters will come to extremes; and circumstances will then necessarily be changed; so that the fountain may be purified, the stream of impurity being in fact arrested.

According to the reports forwarded by the officers of the Tapang and Heangshan stations, four of these bum-boats, with some cargo, and twenty-eight vagabonds in them, had been taken, and sent to the provincial city, where the men will meet with a most severe judgment. Lin Tszelin, Chin Aark, and Ting Asan, together with other scoundrels formerly taken with Sycee silver and opium, have been repeatedly examined, and their sentence has been forwarded for the Imperial approval. During the present year, according to the report transmitted by the military and civil authorities and other official persons, they have made, from the beginning of spring, until the close of December, thirty seizures,—in all a hundred and forty-four offenders; of silver, eight thousand six hundred and sixty-one taels in Sycee, and three thousand and twenty-seven taels in foreign money; and of opium, three thousand eight hundred and forty-two catties. The criminals were all severally judged; the money was given as a reward to the captors, and the opium was burned. The haunts of opium dealers have also been found out, and after investigation, the public seal was placed upon them, while orders were issued for the apprehension of the persons frequenting them. The above particulars are all authenticated by entries on the records.

Your Ministers have now been earnestly engaged in these measures for one year. They dare not yet say that their efforts have had the full effect to be desired. But, with regard to the existing state of things in the Provincial city, it may be observed, that the price of Sycee silver is at present very low; and that opium, one ball of which, on board the foreign vessels, formerly cost the traitorous nations about thirty dollars, brings now only from sixteen to eighteen dollars. Of the smuggled silver too, that has been seized, a large portion has been foreign money, which would seem to imply that to export silver is now comparatively difficult. The proofs of the foreigners having to sell at reduced prices, and of their receiving payment in foreign money, being thus clear, the course that has now been adopted, if pursued with vigour and firmness, for a long period, and if followed up by the seizure of Sycee silver, and the capture of bum-boats, as measures of the first importance, will greatly tend to increase the wealth of the port and to remove abuses, and will thus prove extremely beneficial.

But, there being many crafty and cunning devices which fail of success, numerous complaints have hence arisen, proceeding from malicious tongues, that these failures are brought on by the measnres now adopted. Some there are, babbling scandal-mongers, who represent, that we, your Ministers, if besought by those who bring rich offerings in their hands, are not unwilling to accept gifts. Others, speculating men, of ruined fortunes, declare, that the civilians and the military officers, when bribed, liberate,—and apprehend only when unfee'd; that, in searching [for contraband articles], they contrive only to annoy the [honest] merchant; and that, if they perchance do make a seizure, they then make it appear, that the contraband goods have been sunk, and are lost. Others, again, are there, anxious, fearful-minded men, who lament these proceedings, saying, that since these urgently-preventive measures have been adopted, the foreign merchant-vessels that have come hither have been but few; that the teas and silk have come into a dull market; that the circulation of capital and interchange of goods has been far from brisk, so that the merchants cannot preserve themselves from overwhelming embarrassments, and that part of Canton province must be reduced to wretchedness; further, that since search is now being made in every place for idle people and vagrants, in order to seize them, many

of the boat people are in consequence thrown out of employment, and it may justly be feared, that they will be driven to plunder, and that robberies will daily be multiplied.

These and similar rumours are confidently circulated; but they are all the slanderous assertions of the credulous or the malicious, intended to trouble the minds of us, your Ministers, to disturb the steadiness of our hearing, and confuse the correctness of our vision.

Though we venture [not] to be wholly wedded to our opinions, nor to act as if we heard nothing, and though, therefore, we seek to examine, with the greatest impartiality, every well-founded rumour, and all well-authenticated accusations of abuse, with the hope of preserving the whole system of affairs free from taint or imperfection; yet will we not give way to apprehensions, which would render us fearful to begin anything, or afraid to carry it to an ending, and would reduce us to the condition of him, who having a hiccough, left off swallowing food.

We will faithfully, with our whole heart and soul, discharge our duty in managing these affairs, and will allow in ourselves no remissness in the issuing of orders to that end. Having received such great and abundant favours from your Majesty, we dare not screen ourselves even from the malice of rancorous slander, and never will we incur the guilt of acting deceitfully or ungratefully. Thus we would hope to meet your Sacred Majesty's most earnest wish, that we should make truth our motto.

We have thus minutely represented matters to your Majesty, and have united in preparing this memorial, in reply to your Majesty's commands.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 116.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, June* 15, 1838.

HER Majesty's Government have had under their consideration your despatches of the 29th November and 4th December, 1837, in which you report your proceedings in execution of the Instructions conveyed to you in my despatch of last year, relative to the manner in which you should send communications to, and receive them from, the Chinese Authorities at Canton.

I have to acquaint you that Her Majesty's Government approve the course which you have pursued; and as the Chinese Authorities persisted in their refusal to communicate with you in the manner required, Her Majesty's Government consider that you were perfectly right in retiring from Canton to Macao.

With respect to the smuggling trade in opium, which forms the subject of your despatches of the 18th and 19th November, and 7th December, 1837, I have to state, that Her Majesty's Government cannot interfere for the purpose of enabling British subjects to violate the laws of the country to which they trade. Any loss, therefore, which such persons may suffer in consequence of the more effectual execution of the Chinese laws on this subject, must be borne by the parties who have brought that loss on themselves by their own acts.

With respect to the plan proposed by you in your despatch of the 19th November, for sending a Special Commissioner to Tchusan, to endeavour to effect some arrangement with the Chinese Government about the opium trade, Her Majesty's Government do not see their way in such a measure with sufficient clearness to justify them in adopting it at the present moment.

I am, &c.,
(Signed) PALMERSTON.

No. 117.

Captain Elliot to Viscount Palmerston.—(*Received November* 12, 1838.)

My Lord, *Macao, March* 29, 1838.

I HAVE the honour to transmit a letter from Mr. Robert Inglis, Chairman of a meeting of certain creditors on the bankrupt Hong Hing-tae, covering a memorial to your Lordship, and a printed copy of the correspondence which has taken place between the foreign creditors and the Provincial Government upon the subject of their claims.

The Inclosure No. 4, is my reply to Mr. Inglis.

Your Lordship will no doubt desire to be placed in possession of the fullest means of forming a decision on this appeal to Her Majesty's Government.

And I have, therefore, considered it right to transmit a statement recently published at this place, entitled "The Chinese Security Merchants in Canton and their Debts." It is the work of a gentleman formerly in the Company's China Service, and subsequently of many years' mercantile experience in this country.

A diligent application to the subject may entitle me to testify to that portion of this able exposition which is matter of record, and I feel that I am only performing an act of duty to your Lordship, in respectfully drawing it under your attentive notice.

The extremely serious embarrassments which form the ground of the memorial I have had the honour to transmit, have had their origin since the opening of the trade, and are altogether the result of commercial transactions, in strong distinction to former bankruptcies, which arose for the most part out of speculation of money advances on a high rate of interest.

This first occasion of such a crisis as the present, seems to me to be a necessary and a favourable conjuncture for combining just demands for prompt payment, with earnest efforts to establish our commerce in this Empire on a sounder basis.

The free traders, it will probably be felt by Her Majesty's Goverument, are not in a situation to sustain a long deprivation of large portions of their trading capital. Or, indeed, looking to the period for payment either yet offered, or likely to be offered, and having regard to the rate of interest in the country, the state of facts might more properly be described to amount to a total absorption of their capital.

They are wholly without the means which the Company possessed of re-establishing the balance, by the power of practically regulating the market here, and also to a very considerable extent in Europe.

Indeed, my Lord, there is strong reason to conclude, that nothing but considerable modification of the Chinese monopoly can prevent the frequent recurrence of disasters of this description, each more complicated and extensive than the last.

Being anxious to forward these papers just received from Canton, by the present opportunity, I would beg your Lordship to accept my excuse for a hurried despatch on a very important subject, to which, however, I shall recur in the course of a few days.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 117.

Mr. Inglis to Captain Elliot.

Sir, *Canton, March* 24, 1838.

IN pursuance of the resolution of a public meeting of British merchants, held in Canton, on the 21st instant, I have the honour, as Chairman of the meeting, to hand you a memorial, adopted by the firms whose signatures are attached to it, addressed to Her Majesty's Chief Secretary for Foreign Affairs, upon the subject of their claims upon the Chinese Hong merchants. I have

further to request, in the name of the memorialists, that you will transmit it to the Foreign Secretary, accompanied by such explanation and remarks as, in your opinion, may be desirable for the information of Her Majesty's Government, upon the subject of which it treats; and I have great pleasure in concurring in the hope of the subscribers, that the prayer of the memorial will be found to merit and obtain your most cordial and zealous support.

The document is accompanied by a printed copy of the correspondence referred to in it, between the foreign creditors of the Hongs, and the Chinese authorities of Canton.

I have, &c.,
(Signed) ROBERT INGLIS.

Inclosure 2 in No. 117.

Memorial to Viscount Palmerston.

My Lord, *Canton, March* 21, 1838.

WE, the Undersigned British merchants, trading at Canton in China, have the honour to address your Lordship, through the mediation of Her Britannic Majesty's Chief Superintendent, respecting certain heavy debts owed to us by the Chinese Hong merchants; and we respectfully but earnestly intreat your Lordship to lay our case before Her Majesty's Council, with a view to obtain the powerful interposition of our own Government, with that under which we at present live, to endeavour to obtain an early payment of our actual claims, and a readier means of recovery of those which, under the existing circumstances of the foreign trade with this country, we must, we fear, inevitably incur in future.

Your Lordship is aware, no doubt, that we are limited in our dealings in all the principal staples of the legal foreign trade with China, to about a dozen parties, called Hong or Security merchants. These merchants trade separately, but they are mutually responsible for the Government dues which each may incur, and also for their respective debts to the foreigners. Your memorialists are allowed no voice in the nomination of these security merchants; nor have we any means to ascertain their capital or other qualifications for their trust; but the Chinese Government, which takes this responsibility upon itself, guarantees the engagements which the Chinese merchants form with us; and the principal of the Hong debts, without interest, has always been paid for the last twenty or thirty years, by the whole body, or Co-Hong, under the authority of the Government.

The period, however, within which the debts should be paid, has been left to be settled between the security merchants and the foreigners, and has always been a point of much contention. The former have usually succeeded in fixing a term of years within which the foreign capital in their possession might double itself almost twice over by compound interest; and the British merchants have been indebted for the attainment of even this boon to the influence of the East India Company's late factory in China, as well as for the means of repayment through their large transactions with the Hongs; facilities which your memorialists no longer enjoy.

Of the thirteen Hong merchants which existed at the beginning of 1837, three or four are now avowedly insolvent. Their united debts, according to their own report, amount to upwards of 3,000,000 dollars, besides about 750,000 dollars which they owe to the Government for duties. One of these security merchants, named Hing-tae, has been formally declared bankrupt, and his debts to foreigners, proved by a committee appointed for the purpose, by the Co-hong and foreigners mutually, at 2,261,439 dollars, exclusive of claims still in dispute. The Viceroy of Canton has declared in a public document, of which we transmit herewith a translation, together with all the correspondence upon the subject to your Lordship, that the debts should be paid, but has left the period for payment to be settled, as usual, between the security merchants and the foreigners. The former began by proposing twenty years as the term for liquidation, but have subsequently reduced it, step by step, to nine years. The creditors have refused even the last proposition, on the grounds,

first,

first, that it is impolitic to establish the precedent of such a protracted payment in this first settlement of a debt under the free-trade system, which debt arises entirely out of actual transactions of trade, and so far differs from all former debts; and, secondly, because we wish to take this opportunity to procure a settlement of the debts of all the insolvent Hongs, with a view to understand our exact position with them, and to endeavour to trade upon some safer system in future.

The debts owing by the Co-hong, whether to the Government or to foreigners, have never been paid entirely out of their own resources; but chiefly by means of extra duties levied upon the principal staples of the foreign trade; and the Hong merchants propose to liquidate the debts now under consideration, in a similar way. Such duties once imposed, appear never to be taken off again, when the first occasion for them has ceased, but to be still levied under pretext of creating a fund, called the Consoo-Fund, to meet future exigencies of the Co-hong, whether occasioned by debts to the foreigners, or by demands from the Emperor, to meet the expenses of his wars, or other extraordinary expenditure of the State. There is no reason to suppose, however, that such a fund has ever really existed, or that the Chinese Authorities have ever recognized it; but they have sanctioned the imposition of duties, from time to time, for the payment of specific debts, and have connived at their continuance to feed, as is supposed, their own exactions. Independent of the extraordinary demands of the Emperor upon the security merchants, they are exposed to almost daily extortions on the part of the local authorities, chiefly the Hoppo, or Collector of Customs, and his subordinates, which have always impoverished them, even when they shared in the large certain profits of the East India Company's trade. They have incurred heavy losses in their trading transactions since the expiration of the East India Company's Charter; and seem likely to suffer still more severely, since the same parties have now to conduct a more extended business, in competition with the intelligence and greater activity of the free-traders, to which neither their capital nor mode of conducting commerce seem adequate.

Considering these circumstances, your Memorialists see reason to apprehend that any addition to the duties upon the foreign trade, merely sufficient to liquidate the foreign debts will, without some weighty interposition with the Imperial Government, be mainly diverted to the payment of extraordinary demands by the Authorities on the Co-hong, which it is known are now being urged upon that body; and thereby not only protract the settlement of our claims, but occasion an accumulation of new debts on the part of the security merchants, which it may require more than remonstrance on the part of the British Government, at some future time.

Your Memorialists are aware of the difficulty of changing the institutions and habits of a people like the Chinese; and do not, therefore, ask of Her Majesty's Government, to require any great or sudden changes in the regulations under which we trade with this Empire: but we humbly submit to your Lordship's decision, whether the Chinese Government, so long as it shall insist upon confining our trade to so small a number of its merchants, is not bound to take care that those merchants have sufficient capital and property for their trust; and whether on the transfer of our capital to them, in the shape of the debts in question, which becomes unavoidable in the conducting of an extensive commerce with a monopoly of such limited means, the Imperial guarantee does not imply earlier repayment of such capital than has been hitherto or is now offered, or at all events, some compensation for the delay in the shape of interest. Our experience of the Chinese people and their Rulers, leads us confidently to infer, that the simple interposition of our own Government with the Cabinet of Peking in so just a cause, would facilitate the adjustment of our present claims; and if Her Majesty's Government would further require that any future debts incurred by the Hongs to British Subjects should be paid immediately, or at all events, within a reasonable and defined time; and that the Hong merchants should be protected from the extortions of the official subordinates, we feel assured that it would tend to lessen the hazards of our trade materially. It would induce the Emperor of China to inquire into the abuses of the foreign trade at this port, and to correct the most flagrant of them: which are the exactions of his officers and the inefficiency of the Co-hong, the full knowledge of which we presume to be withheld by the Canton Authorities from the Court of Peking; and the latter

effect would render no less service to the solvent Hong merchants than to your Memorialists, and the whole of the foreign residents in Canton.

Your Memorialists do not think it necessary to trouble your Lordship with further details of our position as merchants in Canton, the peculiarities of which have, doubtless, reached your Lordship through an official channel; and relying upon your Lordship's attention to the interests of British commerce and British merchants, to bring our request to the favourable notice of Her Majesty's Government,

We have, &c.,

(Signed)

DENT AND CO.,
TURNER AND CO.,
BELL AND CO.,
LINDSAY AND CO.,
DIROM AND CO.,
DANIELL AND CO.,
J. AND W. CRAGG AND CO.,
T. H. LAYTON,
W. HENDERSON,
PAT STEWART,
D. AND M. RUSTOMJEE,
FOX, RAWSON, AND CO.,
NANABHOY FRAMJEE,
EGLINTON MACLEAN, AND CO.,
BIBBY, ADAM, AND CO.,
GIBB, LIVINGSTON, AND CO.,
W. F. GEMMELL AND CO.,
WILLIAM MACDONALD,
ROBERT WISE, HOLIDAY, AND CO.,
WILLIAM THOMAS KINSLEY,
JAMIESON AND HOW.

Inclosure 3 in No. 117.

Correspondence between the Local Government, Hong Merchants, and Foreign Merchants; Relative to the Affairs of the Bankrupt Hing-tae Hong; also Report of the Proceedings of the Committee of Examination.

Messrs. Dent and others to the Governor of Canton.

A RESPECTFUL Address. Having come to Canton for commercial purposes, we found that the Regulations allowed us to transact business with no one but the Hong merchants.—Hing-tae is a member of the Co-hong, and judging him, from all appearances, to be in secure circumstances, we sold our goods to him—and he is now indebted in the large amount of a million and upwards of dollars—which he is unable to pay.

It is out of the power of the foreigners to obtain information regarding the internal affairs of this country, and of the proceedings and dealings of the Hong merchants, with their own countrymen, but as they are specially appointed by the Government to conduct the foreign trade, we are induced to place every confidence in their stability and honour.

Under these circumstances, we have to request that your Excellency will be pleased to order an early payment of the Co-hong, in such manner as your Excellency may deem fit.

We have, &c.,

The Governor of Canton to Messrs. Dent and others.

TANG, Governor of Kwangtung and Kwangse, issues this order to the Hong merchants, requiring them to be fully informed thereon.

On the 21st of April, I received from the English and other merchants, Dent and others, the following address. [*See foregoing document.*]

This having come before me, the Governor, I have examined the subject, and find, that heretofore, Hong merchants have always been forbidden to incur debts to foreigners, and that in repeated instances on record, they have been severely punished for so doing. And with regard to Yen-Kechang, of the Hong Hing-tae, he has been in the situation of Hong-merchant, barely seven years, and has in so short a time accumulated debts to the large amount of a million and upwards of dollars? What degree of bad management must it have been that could run to this extent! The thing is too absurd—too extravagant!

If

If this matter be not faithfully and completely settled, where will be our compassion to foreigners, and how shall we prevent similar and even worse conduct in future? I issue therefore, this order. When it reaches the said senior Hong merchants, let them, in obedience to it, immediately convene a meeting of all the Hong merchants, and examine the accounts of Hing-tae, to ascertain clearly what are the real sums owing by the Hong to foreigners; and let them equitably and earnestly apply themselves to make some arrangement for the settlement thereof. Within ten days, let them present a joint report on the subject, for my consideration. If they dare to regard this lightly, or to delay and overstep the period, I, the Governor, will maintain the laws firmly, as the solid mountains, and will assuredly direct the district magistrate to close the Hing-tae Hong, and according to the law, apprehend the merchant, that he may be closely examined and punished. At the same time, the said Senior merchants, together with all the other Hong merchants, shall alone be held responsible. The property of the foreigners cannot be left without an ultimate guarantee for its safety.

Let these commands also be enjoined on the foreign merchants, that they, knowing them, may act accordingly. These are the commands.

Taoukwang, 13th year, 3d month, 19th day (23rd April, 1837.)

To his Excellency the Governor of Canton, &c., &c., &c.

A RESPECTFUL Address.—A petition was laid before your Excellency on the 21st April, respecting the claims of foreigners on the Hing-tae Hong, to which your Excellency returned a gracious reply, ordering the Senior Hong merchants immediately to convene a meeting, and endeavour to form some arrangement for the speedy settlement of our heavy claims, and to report on the same within ten days. Your Excellency was also graciously pleased to add that our property could not be left without any ultimate guarantee for its safety.

In obedience to your Excellency's commands, conveyed in the above reply, we sent in to the Senior Hong merchants, full and clear statements of our claim; but up to this hour, although nearly two months have elapsed, they have made us no proposition for the equitable settlement of our accounts; and to the most earnest inquiries, we can only get the reply, "that Hing-tae has not furnished his accounts, and that he objects to the sums claimed by foreigners."

These delays are so directly at variance with your Excellency's commands, that we are astonished they are ventured upon; and that too, so far as your petitioners can judge, without the Co-hong taking any steps to obtain a correct knowledge of the accounts.

Looking with confidence to your Excellency's insisting on the previous orders being at once complied with.

We are, &c.,

Signed by Hing-tae's foreign creditors.

The Governor of Canton to the Hong Merchants.

"LET Yen-Kechang of the Hing-tae Hong, be most closely examined as to what extent his debts have accumulated; and let it be ascertained, if the claims sent in by the barbarian traders, exceed the true amounts. Thus, when the tide ebbs, the rocks appear [i. e. the truth will be discovered]. But while both parties craftily endeavour to work their own advantage, they only protract the just settlement, and do not help to bring the matter to a conclusion."

The petition presented the other day by Yen-Kechang evidently diverged from and glossed over the truth. In my reply to him, I reprimanded him severely, and ordered him, within a limited period, to produce his accounts for my inspection.—This is on record.

Now, with reference to the present petition, I have ordered Howqua, Mowqua, and Pwankequa, to examine well, and act in obedience to the former reply: Let them cause Yen-Kechang within the therein mentioned limit, to make out a clear and true statement of all the debts owing by the Hong, and report

to me of the same, that I may act accordingly. Let them not permit any delay; and let this reply be explained to the barbarians for their information and obedience. Do not oppose.

5th moon, 20th day (June 23rd, 1837.)

The Hong Merchants to the Foreign Creditors.

June 27, 1837.

A RESPECTFUL Communication. We send copy of a statement of commercial transactions with you from the Hing-tae Hong, and the debts due to you thereon, and of which we beg your careful calculation.

With regard to your suggestion to us the other day, to request a Committee of two or three impartial persons, to examine the accounts;—it appears to us, after careful consideration, that the examination of accounts is a thing totally different from arbitration, or question of principle, and that it is requisite for the examination of accounts, that the parties through whose hands the commercial transactions have been conducted should be present, as being alone able to know the truth of the accounts on any matters of detail. We would therefore request you to call immediately on Yen-Kechang, to find his brother Yen-Ketseang, that the accounts may be examined at a personal interview. Then they may be clearly settled, and all obstinate disputes respecting them may be prevented.

To make this request, it is that we trouble you, and with compliments,

We are, &c.,

Signed by twelve Hong Merchants.

The Hong Merchants to the Foreign Creditors.

THIS is respectfully to inform you, virtuous elder brother, that you conjointly with the other gentlemen, having reported Hing-tae's debts to amount to upwards of 2,850,000 taels: we compared his accounts and found them not to agree with yours. Yesterday, however, virtuous elder brother, you, and the other gentlemen denied the correctness of Hing-tae's statement, and requested us to select three disinterested individuals to examine the accounts, and thus prevent confusion and error.

We have therefore requested Messrs. Elliot, Dent, and Green, to act as arbitrators: and beg also to remind you how requisite it is that you should procure Yen-Ketseang's attendance: he alone understanding your accounts, having been the manager of the Hing-tae Hong. Yen-Kechang is both ignorant of your language, and of the commercial transactions which passed between you and the Hong, as he took no part in the sale department.

Requesting you to inform yourself of the contents of the present letter which we now forward to you.

We are, &c.,

Signed by the Hong Merchants.

The Foreign Creditors to the Governor of Canton.

Canton, July 1, 1837.

TO the Governor of the two Kwang Provinces, a respectful address.

On the 20th June, we presented a Petition to your Excellency, regarding the delays which had occurred in making any arrangements for the settlement of the debts of Hing-tae Hong.

In reply you gave orders that the accounts of the Hong should be immediately produced.

A statement from Yen-Kechang has been communicated to us by the Hong merchants, in which all the accounts are disputed and objections raised with no other object apparently than to protract a just settlement from day to day, and showing a total ignorance of the concerns of the Hong.

We have therefore now to request that your Excellency will order the return

of

of Yen-Ketseang who has been the manager of all the commercial affairs of the Hong since its establishment, and who can alone afford the necessary explanations, thus will all further evasion be checked.

The Governor of Canton to the Hong Merchants.

July 7, 1837.

TANG, President of the Board of War, and Governor of the two Kwang Provinces, issues this Edict for the information of the Hong Merchants.

Whereas on the 5th day of July, a petition was presented by the English merchants, Jardine, &c., stating the debts of Yen-Kechang of the Hing-tae Hong, to amount to 2,168,348.68 dollars as shown by the accounts which were correct and not in the least exaggerated; and whereas Yen-Kechang presented a counter petition, complaining that the accounts rendered by the foreign traders were false, and their claims were greatly exaggerated, I commanded the senior Hong merchants, Howqua, &c., to accompany the two parties to the Consoo House and there arrange the matter between them.

Now the said Hong merchants reported to me, that when they questioned Yen-Kechang as to which of the accounts he objected to as incorrect, he showed himself entirely ignorant of the matter, and put them off with evasive answers. They then selected three barbarians to unite with them to examine the accounts and to bring them to an equitable settlement. On this, Yen-Kechang selected indiscriminately from the various accounts, *five* which he objected to on the ground of incorrectness; but they, the Hong merchants, having carefully examined the said accounts, decided that they could not, in justice, be excepted. They also prepared two clear statements of all the Hong accounts which they presented with a petition praying me to examine and decide.

On the same day, Dent, and other barbarian traders of various nations, presented a petition to the following effect [*here follows the petition.*]

This coming before me, the Governor, I investigated the matter and ascertained that balances of purchase money due for goods cannot be classed under the same head as balances of borrowed money. The Hongs have from time immemorial been governed by precedents which determine where interest *is* allowed and where it *is not*. But are there really no more intricacies than the above?

I have compared the statements of the barbarian traders, Jardine, Dent, &c., with that of Yen-Kechang and lo! they differ widely. Which of them is to be relied upon?

Let the senior and junior Hong merchants give their whole minds in conjunction with the two parties to examine the accounts and come to some equitable arrangement. Let the account at once be settled, and all disputes be put an end to.

If these disputes are continued any more, and upon investigation, I find that Yen-Kechang actually owes what the foreigners state him to do, and yet does not immediately settle with them, most assuredly he shall be visited with the most awful punishment. You, the Hong merchants also, must not then plead ignorance of the subject and say to yourselves: "Why did we not exert ourselves to settle the business?"

Besides the warning edict, issued by my orders, by the Pooching and Gancha-Szes, I now issue this proclamation for the senior Hong merchants, Howqua, Mowqua, and Pwankequa, instantly to obey.

Let them and their juniors, in conjuction with the disputing parties, proceed at once carefully to examine all the claims, and ascertain if any just deductions can be made. Let them ascertain and settle the exact sums owing by the Hong to foreigners. Thus when the tide ebbs the rocks appear.—Do not show the least favour, but act with justice.

Let them instantly fix on some plan for repaying the foreigners the sums due to them and report the same to the two Szes that I may be informed thereof. There must be no delay, no omission; the matter is most urgent.

Debts due by Yen-Kechang he alone is responsible for; his servants and assistants in the Hong must not be troubled.

Let this Edict be transmitted to the barbarian traders for their information and obedience.

Let there not be the least delay in settling the accounts, on pain of the most awful punishment.

Haste! Haste! A special Edict.

The Foreign Creditors to the Governor of Canton.

July 17, 1837.

A RESPECTFUL Address. Your Petitioners are compelled again to bring their claims upon the Hing-tae Hong to your Excellency's notice, for, notwithstanding your Excellency's orders, literally nothing has been done towards either a settlement of the accounts or of the terms of payments.

A Committee has been named along with the Hong merchants, to investigate Yen-Kechang's objections to the claims of your Petitioners. If he is serious in urging these objections, why does he not come forward and substantiate them; it is so evidently a manœuvre to put off time and procrastinate, that your Petitioners must entreat your Excellency not to permit such conduct being continued, and to order the liquidation of the accounts as they are rendered by us, should Yen-Kechang not prove them incorrect within a day or two, for surely he has had ample time to examine his accounts.

As arrangements must be made for the transactions of the ensuing season, your Petitioners are thus urgent, in entreating your Excellency to enforce your former orders that old and new accounts may not be mixed.

Signed by Hing-tae's Creditors.

The Governor of Canton to the Hong Merchants.

July 20, 1837.

TANG, President of the Military Board, and Governor of the two Kwang Provinces, issues this Edict to the Hong merchants, for their full information.

On the 18th July, I received a petition from Dent and other barbarian traders, praying as follows [*here follows the petition.*]

This coming before me, the Governor, I inquired into the matter, and found that when the barbarian traders, Jardine, &c., presented a petition some time ago, I commanded the senior Hong merchants to cause Yen-Kechang to produce his younger brother, Yen-Ketseang, who was formerly the head manager in the Hong, but afterwards resigned. They were ordered to unite with the brothers, and examine and settle the accounts, and devise some means for their liquidation. They were to report the same to the two Szes that I might be informed thereon. I also directed the Poo-ching and Gancha-Szes to investigate and urge the speedy settlement of the accounts.—This is on record.

Let the barbarian traders now wait till Yen-Ketseang makes his appearance, when they must, in conjunction with the senior Hong merchants, and the two brothers, give their whole minds to the just and equitable settlement of the accounts and to determining the exact sums due. Let the three so arrange that the affairs may be instantly wound up. [Until Yen-Ketseang makes his appearance] there will be constant wrangling and disputing of the accounts.

Let not barbarians throw impediments in the way of settlement [by their impatience.] They must not so constantly petition me, for truly they will reap no advantage therefrom.

Uniting the circumstances, I issue this Edict to the Hong merchants: let them transmit copies thereof to the barbarian traders, for their information and obedience.—Do not oppose.—A special Edict.

The Foreign Creditors to the Hong Merchants.

Gentlemen, *July* 22, 1837.

WE have received from you two Edicts of his Excellency the Viceroy, in reply to our petition (See Nos. VIII and X) one dated 7th and one the 20th inst., in both of which the most peremptory orders are issued that the accounts of Hing-tae Hong should be immediately examined, and some equitable arrangement at once made by you for the payments of the debts.

We

We have now to request you will inform us what steps you have taken to obey his Excellency's orders; in both respects, no proposition has yet been made to us by you as to the payment of the debts, and as these are matters of great importance you must excuse our pressing upon you the necessity of your giving instant and earnest attention to them.

Yen-Ketseang should be obliged to appear immediately and explain his objections to the accounts; still his absence cannot interfere with your obeying his Excellency's orders and making the necessary arrangements for the payment of the debts, these being matters in no degree dependent on Ketseang's appearance or consent.

His Excellency complains of our importuning him with petitions. But we are only claiming our rights, and have followed the usual couse in our applications. The nature of next measures will mainly depend on your reply in writing to our present letter, and what we see actually doing towards a settlement. Should any unpleasant consequences ensue from our being compelled to draw attention to the nonfulfilment of his Excellency's orders, they must be attributed to the vexatious delays our claims have from week to week been subjected to.

We are, &c.,

Signed by the Creditors.

The Hong Merchants to the Foreign Creditors.

July 23, 1837.

THIS is respectfully to inform you that we have requested Messrs. Archer, Dent, and Green, to meet us in the Consoo-house at noon, on the 23rd of this month, for the purpose of examining the accounts of the Hing-tae Hong.

The other gentlemen are also requested to attend.

With compliments, we are, &c.,

Signed by the Hong Merchants.

The Hong Merchants to the Foreign Creditors.

July 24, 1837.

THIS is respectfully to inform you, that on the 20th (July 22nd) we received from our elder brethren their letter of the same date.

We are perfectly conversant with its contents; but the requests contained therein are of so weighty and important a nature that we cannot reply to them without mature deliberation.

We have to request you will inform the other gentlemen hereof, and with compliments we remain, &c.,

(Signed) HOWQUA.
MOWQUA.
PWANKEQUA.

The Hong Merchants to the Foreign Creditors.

July 24, 1837.

THIS is respectfully to inform you, that on the 21st, yesterday, we advised you per letter, of our having requested Messrs. Dent, Green, and Archer, to meet us in Consoo on the 23rd, for the purpose of clearly investigating the affairs of the Hing-tae Hong.

Now it is our opinion, upon reflection, that the accounts are too manifold and complicated to be examined in one day; and that it is only by taking them one by one, in their proper order, that they can be examined.

We therefore beg to inform you that we have requested Mr. Dent and the other two gentlemen, to meet us in Consoo to-morrow, that we may there mutually deliberate how the accounts shall be investigated in their proper order, and also to settle a day for the general investigation; of which we will write to inform the other gentlemen concerned.

We address this to you, requesting you to make known its contents to the other gentlemen, and with compliments,

We remain, &c.,
(Signed) HOWQUA.
MOWQUA.
PWANKEQUA.

First Meeting of the Committee appointed for the examination of Hing-tae's accounts with Foreigners.

Consoo House, Canton, July 25, 1837.

PRESENT, Howqua, Mowqua, Pwankequa, Dent, Archer, Green.

It was clearly understood that in the investigation of all accounts and differences, the decision of the Committee should be final as to the amount justly due to each claimant, and that the sum agreed upon should in no case admit of future question by Hing-tae, Hong merchants, Mandarins, foreigners, or any other party.

It was unanimously agreed that the accounts shall be taken up successively for examination, commencing with the lowest and proceeding to the highest, excepting those of Dent and Co., Russell and Co., and Wetmore and Co., in which the three foreign arbitrators are interested, which are to be postponed to the last.

The Hong merchants present informed the foreign arbitrators, that answers to Hing-tae's objections to the accounts rendered to the Co-Hong, had been received from only three or four of the Creditors, and it was therefore decided that each should be called upon for their explanations, as their respective accounts came under examination.

To facilitate the business of the Committee it was determined to appoint a Chairman, whose signature in the name of the Committee to all communications and decisions shall be equally valid as if the same were signed by all the Members.

The Committee then adjourned to meet to-morrow, July 26th, at 10 A. M. at the same place.

In the name of the Committee,
LAUNCELOT DENT,
Chairman.

The Foreign Creditors to the Governor of Canton.

Canton, September 6, 1837.

A RESPECTFUL Address.—On the 29th July last, we received a communication from your Excellency that you had given orders to the Hong merchants for the immediate examination and liquidation of the debts due to us by the Hing-tae Hong. These gentlemen now give us to understand that they have consulted and examined in accordance with your Excellency's orders—but we can obtain no satisfactory reply from them with respect to the liquidation of the debts.

We are therefore obliged again to address your Excellency, and to urge you in the strongest manner, to order the Hong merchants to pay our claims without further evasion, so that we may not be under the necessity of again troubling your Excellency.

We have, &c.,
Signed by the Creditors.

The Governor of Canton to the Hong Merchants.

September 13, 1837.

TANG, President of the Board of War, and Governor of the two Kwang Provinces, for the information of the Hong merchants.

On

On the 12th day of this moon (September 12th) a petition was presented by Dent and other foreign traders of various nations, to the following import. [*Here follows the above petition.*]

This coming before me, the Governor, I have inquired into the matter and find by the records, that Edicts have before been issued, commanding the senior Hong merchants to settle with the foreigners the true amount of Hing-tae's debts;—and also directing the two Sze officers to deliberate and investigate and make a clear report of the matter to me.

Now this petition prays me to hasten the payment of the debts. For the last time, I ask, are all the accounts clearly settled or not, and what is the exact amount of the debts? In the petition there is not a single word respecting this. This is decidedly concealing the true face of things from me.

Besides ordering the two Szes to obey the former edicts, and command the Hong merchants to hasten the settlement of the affairs, I, also considering the circumstances, issue this Edict.

When it reaches the senior Hong merchants, let them on that very day, in conjunction with the Hong merchant Yen-Kechang, his brother, and the foreigners, conscientiously examine and settle the accounts. When they have agreed upon the exact amount of the debts, and, after mature deliberation, have come to some conclusive arrangement respecting the payment of them, let them report the same to the two Szes, that I may be informed thereof and act accordingly.

Let this Edict also be transmitted to the foreigners for their instant obedience.

There must be no procrastinating delay. Do not oppose.—A special Edict.

The Foreign Creditors to the Governor of Canton.

November 29, 1837.

A RESPECTFUL Address.—Not having had any communication from the Co-hong since we replied to their very unreasonable proposition to pay the debts of the Hing-tae Hong in fifteen years, we are compelled again to address your Excellency, and trust that in pressing our claims on your notice, we shall not be considered as unnecessarily troublesome.

In thus urging a settlement, we cannot but allude to the announcement made by your Excellency, in conjunction with his Excellence the Fooyuen, that our trade may be stopped within a month, and our nation's Representative expelled; and are now come once more to your Excellency in the hope that you will grant us that justice which the laws of China, in such cases, have hitherto given Foreigners, and prevent the adoption of any other measures.

We entreat an early answer from your Excellency to enable us to communicate the result to Her Majesty's Superintendent.

We have, &c.,

Signed by the foreign Creditors of the Hing-tae Hong.

The Governor of Canton to the Foreign Creditors.

December 1, 1837.

TANG, Governor of the Provinces Kwangtung and Kwangse, &c., to the Senior Hong merchants, for their full information.

On the 3rd day, 11th month (30th of November), the foreign merchants, Jardine and others, presented the following address:—[*see above.*]

This coming before me, the Governor, I have examined the subject. In reference to the several sums which the Hing-tae Hong is indebted to the said foreign merchants, orders have been given for the apprehension of the said Hong merchant, Yen-Ketseang, imperatively requiring that he be discovered, and, with Yen-Kechang, be subjected to severe punishment. Had they the power of repaying their debts, doubtless, they should be, with strictness, compelled speedily to repay them in full. But if it rests on all the Hong merchants to determine on a mode of repaying on their behalf, then, there being to each sum a creditor, how can these creditors beat down, as to time, those on whom the

weight of suffering actually falls? The request made is indeed very far from being reasonable. In consideration for them, I however command, that they wait while I instruct the Commissioners of Finance and of Justice, to hasten the Senior Hong merchants, to come to a speedy determination as to the period to be prescribed, and to make representation to me, in order to obtain my final decision. It is my special desire that the said foreign merchants should have guarantees to their debts, and also, that in effecting this, the Hong merchants should not be utterly ground down, nor hindrance be thereby occasioned to the fulfilment of public duties.

As to the Celestial Empire, in its cherishing tenderness towards men from afar, its benevolence is perfect, its justice without a flaw. But the depraved foreigners twist awry the laws to subserve their private ends; and have thereby drawn down from the Great Emperor reiterated and severe declarations of his pleasure, that the receiving-ships should be driven away. Yet, notwithstanding this, the Celestial terrors have not at once been displayed; but only the Superintendent Elliot has been commanded speedily to send them away, and order their return to their country. Is there aught so exalted or so substantial as the sacred favour herein manifested?

Because the receiving-ships in the outer seas have so long persevered in lingering out their stay, I lately limited the said Superintendent to a fixed period for faithfully paying obedience to the commands. If he still treat them with contempt and disregard, it will be in truth difficult, in that case, to extend indulgence, and put off the said Superintendent's expulsion. Whether the trade shall continue open or not, rests with the Celestial Court to determine, and will depend on the line of conduct which all the foreigners may adopt for themselves.

To sum up, I, the Governor, reverently regard the sacred tenderness, and in conformity thereto, I carefully maintain the dignity of the government. I commit no act of tyranny or oppression. Neither do I seek surreptitiously to gain a name for liberality. The foreign debts shall be fully paid to the uttermost mite. The receiving-ships shall be with the utmost severity driven away. For each purpose, distinct measures are to be carried through. The two have no relation one to the other.

These commands are forthwith issued to the senior Hong merchants, Howqua and Pwankequa; who, on receipt thereof, are immediately to enjoin them on the said foreign merchants, for their obedience. Oppose not. These are the commands.

Taoukwang, 17th year, 11th month, 4th day (1st of December, 1837.)

The Foreign Creditors to the Governor of Canton.

A RESPECTFUL Address.—We received on the 2nd instant from the Hong merchants, copy of an Edict bearing your Excellency's name, but fear we do not exactly understand your Excellency's meaning, in as far as our claims upon the Hing-tae Hong are mixed with transactions of a totally different nature, and our trade threatened to be stopped, if Captain Elliot does not perform what we have no power to insist upon.

Your Excellency's repeated promises that our debts shall be paid to the uttermost mite, have as yet produced us nothing but the most unreasonable proposition on the part of the Co-hong, to pay our debts in fifteen years. The usual interest alone, would far exceed the payment! how, therefore, can such be considered as anything but a flagrant act of disobedience to your Excellency's Edict.

Your Excellency draws very justly a distinction between the personal treatment that may be due to a fraudulent bankrupt, and that which should be shown to the sureties; but in the payment of a debt, the sureties take the place of the bankrupt in every respect. We are far from wishing to distress the members of the Co-hong (already so encumbered), but we must remind your Excellency of the establishment of a fund for the express purpose of meeting such engagements, and which fund, having had no legitimate drain on it for the past three years, while it has been regularly levied on the foreign trade, should now have accumulated to a very large sum. But when large sums are annually exacted by the various officers of Government, how is it possible that trade can go on?

We

We have been involved in these debts by trading with the merchants specially appointed by the Emperor for the avowed purpose of guaranteeing foreign debts and guarding them against fraud, and with whom alone we are permitted to carry on such business. If now we are put off from month to month, where is the use of such an appointed set of merchants, and where the Celestial justice which, in restricting our trade to a few men, preventing our dealing with others, yet refuses either to perform its own engagements, or to compel the Hong merchants to perform theirs? We may here remark, that the only wealthy members of the Co-hong will neither secure ships nor purchase their cargoes!

We are thus compelled to call most solemnly on your Excellency not to permit the Celestial benevolence and justice to be thus rendered nugatory, but that something more than mere promises and examinations will speedily be carried into effect.

We have, &c.,
Signed by Hing-tae's Creditors.

The Governor of Canton to the Hong Merchants.

TANG, Viceroy of Kwantung, &c., &c., proclaims to the senior Hong merchants for their full information.

Whereas, on the 18th day of this moon (15th December, 1837), the foreign merchants, Jardine and others, having presented a petition to the following effect,—[*Here follows a copy of the Petition.*]—and this coming before me, I have accordingly examined, and find, that in the laws of the Heavenly dynasty [it is thus written]. "If a man have received money improperly, (such as stolen money, bribes, &c.), he ought to repay it to its rightful owner, or he may be sued, and sent to prison for six months; if, upon examination, it be found that with all his might he cannot repay, he may escape further prosecution, and on getting a bond [from his friends] certifying his inability to pay, &c., he may request forgiveness of [his crime,] and such like." Now, Yen-Kechang and his brother, in owing a debt, having committed a much lighter crime than that of receiving bribes or stolen property, and they likewise being entirely unable to repay, it is plain, that their time of confinement in prison being expired, they also should be able to avoid further prosecution, and likewise sue for [and obtain] forgiveness! But I, the Viceroy, having still further ordered the Hong merchants to consult upon the subject, and to repay the debt in the stead [of the bankrupts], am truly looking up to the holy virtue of the Great Emperor as my model, in fostering the men from afar, not wishing that the said foreigners should be deprived of their capital! This is goodness beyond the laws! truly may it be called the extreme of benevolence and justice! How is it, then, that so soon after the receipt of my reply [to your last petition] you again come with a mass of words, thus whining at and annoying me! If you say that the Hong merchants who are to pay the debt instead [of the bankrupts] are in the place of the bankrupts, and as such are to be reprimanded for delay, then it is that the Hong merchants are blamed by you for coming forward to pay the debt—so suppose that the Hong merchants were to beg of you to excuse them bearing this blame, and on the other hand, were to agree together not to pay this debt, I would like to ask you, whom would you go to beg it from? Oh! gross and ignorant that ye are, never was there stupidity equal to this!

As to what you say about the Hong merchants having received the Consoo fund for three years without lifting arm [to pay any of it out] whether it is so or not, the Hong merchants must state the fact, and if the money was applied for the benefit of the public, or if in [the Consoo Treasury] there is any excess or not, stop till the Judge and Treasurer have examined and reported for my decision. As to whether the term or proposal to pay back in shares in fifteen years, be too long or not, I again refer to my former Edict, where I urged on the principal security merchants, without delay, to consult together in justice, and determine with propriety. Wait till I get the document from the Judge and Treasurer for my investigation.

In relation to a late petition of the said foreign merchants, because their petition contained the words:—"We have heard that you mean to drive out the Superintendent [Elliot] and not allow the ships to open their holds, we beg

that in your reply you give us some information upon this point," therefore, it was in order that they might clearly understand my Edict in reply, I proclaimed that the two things had no connexion with each other; but the said foreigners having mixed up the two in begging for an answer to their petitions as stated above, now turn upon me, the Viceroy, and borrow an excuse [to say that I am] contradictory, and [mixing up things] far apart! This is, indeed, the most complete perverseness! [impertinence?]

I again issue this proclamation, and when it reaches the said senior security merchants, let them immediately enjoin it upon the said foreign merchants, that they may obey accordingly, and let them further command them, not again at their own will and pleasure, thus foolishly present [petitions?]

I, the Viceroy, grasp the laws for rooting up [lit. hoeing up] of vagabonds; if they make trials [of authority] with me, I fear it will be difficult to deal lightly with them!

Taoukwang, 17th year, 11th month, 30th day (December 17, 1837.)

The Judge's and Treasurer's Report respecting Hing-tae's debts.

WANG, the Judge, and Ah, the Treasurer, issue again their orders for the firm and satisfactory arrangement regarding the payment of debts.

According to the petition of the Hong merchants, they had, after consulting the foreigners, resolved to discharge the whole of Hing-tae's foreign debts, by instalnents, within the space of fifteen years. But as the said foreigners were still dissatified, and dunned them with the request of shortening the term of years, they had, on receiving orders to that effect, called a meeting of all the merchants, and now make known, in a clear statement, the result of their deliberations. Whilst accommodating themselves to the wishes of the foreigners, they agreed and settled to pay, within twelve years, as in the case of the firms of Hwuylung, Ta-ching, Fuhlung, but the foreigners would only admit of five or six years, and firmly insisted upon it.

In examining the settlement of debts owed by former bankrupt houses to foreigners, we find that the annual instalments paid were above 200,000 dollars; but matters are now not as formerly; there was then the trade of the Company, which yielded great profits, and no other instalments were to be paid. But just now, every merchant has his own private debts, and Hing-tae and Fatqua, moreover, owe to Government about 400,000 taels; if, therefore, the term of paying Hing-tae's foreign debts is shortened, one will be cared for and the other neglected. A statement of Kingkua's very heavy debts is now given; and, if matters are to be only partially adjusted, whilst, as formerly, additions are made to the said Hong's foreign and public debts, and by repeated requests, brought forward to make up deficiencies, the affairs will be more involved, and the whole trade ruined.

"Whilst sending in a statement of the terms of years, during which foreign debts have been in former years discharged in instalments, we beseech our superiors graciously to sanction this settlement, and to permit that the debts be paid in twelve years; thus, the public and the foreign debts may be equally liquidated; and the merchants, at the same time, will be a little relieved, and recover strength."

We, the Sze officers, on receiving this statement, with a list of dividends paid in former years, found on examination, that the Celestial dynasty graciously permitted foreign barbarians to come to Canton and barter; according to the established regulations, they are permitted to exchange goods with Hong merchants only. It is incumbent on foreign merchants, at the end of each trading season, to give in a clear statement to the Hoppo, whether there are any outstanding debts with the Hongs, which is recorded as evidence. If it should happen that such a Hong fails, the payment of the claims falls upon the security merchants: but if no clear statement is forwarded, the payment cannot be urged or answered.

If native merchants, in defiance of the prohibitions, borrow of, or lend to, foreign traders, and thus enter into clandestine and illegal connexions, they are sentenced according to the law, against forming correspondence with foreigners, and fraudulently borrowing or lending: the money thus advanced will, after due investigation, be confiscated by Government.

In

In 1829, an English Chief petitioned for the establishment of trading regulations. In that document he requested that neither a new nor old Hong merchant should pay the debts of other bankrupt Hongs, no matter whether contracted with native or foreign merchants; but that every Hong should pay its own debts; thus the evil of too much trusting the Hong merchants might be eradicated. The officers examined the subject of this Petition, and agreed to it, obtaining the sanction of a former Governor in an Edict to that effect, which is on record.

The annual account of Hing-tae's debts was not, according to law, clearly stated; the claims were not brought forward at an early period; but the said Hong was allowed to involve itself, during the space of seven years, to the amount of upwards of 2,320,000 dollars. We are informed that a certain foreigner, Jardine, is a creditor to the amount of 1,700,000 dollars and upwards. One does not know how that foreigner, in dealing with Yen-Kechang's younger brother, had so much confidence in him that he could give him such an enormous credit; thus, year after year, he was silent and said nothing about it.

If we were to act in conformity to regulations formerly established and agreed upon, no payment ought to be made at present. But now the Hong merchants have received orders to pay in instalments, and they do their utmost to manage things accordingly. On examining the arrangements for clearing the accounts, made repeatedly in former years, we find that a term of twelve years was agreed upon and sanctioned to clear the whole amount: thus the period for the payment of the debts owing will not be too long, and a full payment is certain.

The Government officers act thus graciously in imitation of the Great Emperor, who cherishes the utmost tenderness towards foreigners, and, considering they come in search of gain, will not permit them to suffer the least loss; it is only on this account that an alteration is made, and compassion shown by making arrangements. If they are endowed with Celestial goodness, they will instantly be imbued with gratitude; and how can they, to the last, harbour in their breasts a heart of wood and stone.

But if they do not accede to receiving payment in twelve years, and still wish to urge a term of five or six years for the clearance, one does not know what interpretation is to be put upon their conduct; the more so as the amount of these foreign debts is enormous; and the annual payment in instalments, sanctioned in former years, did not exceed the sum of 200,000 dollars and upwards.

Now the said merchants are unreasonable, and are wedded to their opinions: their minds are therefore grievously perverse. If the Hong merchants, on this account, reverse their former settlement, and refuse to make the payment, we presume to ask where would the said foreign merchants urge their demand, and whom would they prosecute for payment? Therefore, strenuous efforts ought to be made for adjusting and settling these claims; and measures be taken to manage the matter accordingly.

We issue at the same time our orders to the said Hong merchants to call a meeting of the foreign merchants, to examine into the preceding circumstances, and to point out to them the orders; let them most distinctly acquaint them with the commands; and again and again tutor and guide them, that by a mutual understanding, the term of years may be fixed. Moreover, let them send a report to us, that we may examine and forward the same. Do not disobey.

12th moon, 3rd day (29th December, 1837.)

The Foreign Creditors to the Governor of Canton.

December 30, 1837.

YOUR Excellency's Edict of 17th inst., in reply to our petition of 15th, was handed to us by the senior Hong merchants, and at the same time a proposal was made to liquidate the debts of the Hing-tae Hong in twelve years—a proposition unjust, in as far as it is directly contrary to the established practice of the Celestial Empire, and the interpretation former Governors have put upon the laws of the Great Emperor, and most unreasonable in itself, seeing that the usual interest during the proposed period, would amount to twice the capital debt.

We have most carefully examined your Excellency's observations respecting the "fixed laws of the Heavenly dynasty," and beg humbly, but firmly, to state to your Excellency, that the laws quoted are not those applicable to foreigners—which, we need not point out to your Excellency, are entirely distinct from those laws by which the subjects of the Empire are regulated.

Your Excellency's reasoning upon the liability of the Co-hong, we have only to place in context with the Imperial orders, which distinctly engage that all foreign debts shall be paid, and your Excellency has been graciously pleased to repeat this engagement on the part of Government more than once. Why, then, should your Excellency ask us, "from whom would you recover, should the Hong merchants seek to be preserved from the consequences of thus being, by the laws, pointed out as the securities and compulsory payers of bankrupt Hong debts?" The answer is plain and distinct: we have the Emperor's repeated promise, as well as your Excellency's, that our claims shall be paid to the uttermost mite. The Celestial Empire is our debtor.—The Hong merchants hitherto have been the channel of payment, but we look to your Excellency's making such payment, and leaving the mode to be settled as the Celestial justice may deem most right, it not becoming us to point out to your Excellency, the manner by which the empire may discharge its debts.

With regard to the assertion that a Consoo duty has been levied, for the purpose of paying Hong's debts to foreigners, for three years, without any drain for this purpose, it is strictly and positively true; nearly four years have now elapsed since any payment to foreigners has been made, and justice requires that the sum so collected should be immediately appropriated to this liquidation of existing foreign debts. There is no law of the Imperial dynasty warranting the appropriation of this tax to any other purpose.

In conclusion, we must remind your Excellency, that former claims of a similar nature have frequently been paid,—this is no new affair. The sums formerly paid for a series of years, have been upwards of five lacs of dollars per annum; one year, 1829, indeed the amount approached six and a half lacs of dollars; a similar payment for the next four years would pay all our claims with interest; for how, in cutting off so large a proportion from our claims, can your Excellency keep your promise to pay us the uttermost mite?

Trusting your Excellency will spare us the unpleasant task of appealing either to the Emperor, or to our own August Sovereign, for the settlement of these our just claims on the Chinese Empire,

We are, &c.,

Signed by Hing-tae's Creditors.

The Governor of Canton's Reply to the Petition of Hing-tae's Creditors.

January 6, 1838.

THE compassion towards foreigners consists in benevolently making arrangements for paying [the capital], but there is no regulation for discharging the interest.

The Celestial dynasty maintains justice to the utmost, and is certainly never weary of exhibiting favours. According to previous arrangements made by the Hong merchants, the debts of Hing-tae were to be paid within fifteen years. But since this period was somewhat distant, I gave orders for changing the term to twelve years, during which time the whole should be cleared. Wait then until the Sze [Treasurer and Judge] have been urged to draw up a full statement to the Great Emperor, until His Majesty's pleasure for my guidance be known. There is no necessity for making much ado about this matter.

Orders are hereby issued to the Hong merchants, to acquaint the said foreign merchants with my commands, that they may observe them. Do not disobey. These are my orders.

The Foreign Creditors to the Governor of Canton.

A Respectful Address. *Canton, March 21*, 1838.

SOME of the Subscribers, British Merchants, addressed your Excellency nearly a year ago, respecting the large debt due to us by Hing-tae, and your Excellency

Excellency has since given repeated orders for its payment; but up to this time we have received no part of it. The Hong Merchants have indeed proposed to pay it off in nine years, beginning with next year, which will be ten years from the adjustment of the accounts; but we cannot consent to such a distant payment.

Besides Hing-tae, your Excellency is aware that there are other Hongs also indebted to us, and we have urged the Security Merchants to arrange for the payment of their debts at the same time, that we may know with whom we may trade safely and whom not, and guard, as far as we are able, against loss in future.

We bring our property from a great distance to trade with this Empire, and we are compelled by its laws to place it in the hands of a very few Hong Merchants nominated by the Emperor. It cannot be that His Majesty intends that they should retain our capital, until it has nearly doubled itself by the accumulation of interest; and then pay us back only the principal. It may be that Hing-tae has dissipated our money; but how can we ascertain this? We cannot go to his house or village to ascertain if he have secreted any money; and even your Excellency's order has failed to produce him here for examination.

The Judge and the Treasurer reported (12th Moon, 13th day), as a reason to delay payment of these debts, that matters are not now as formerly; there was then the trade Company, which yielded great profits. This is true; but *our* profits also are not the Company's, and we cannot afford to dispense with our trading capital. The payment of the Hong Merchants' debts, besides, has never depended entirely upon their profits, but upon extra duties upon the foreign trade, imposed for that purpose, and the Hong Merchants now propose an additional duty to pay the present debts. Where then is the injustice to them? It seems to us, as to the Judge and Treasurer, that some other system is required to meet the exigencies of the present trade; but more for our benefit than for the Hong Merchants. As we do not feel competent to discuss the question with your Excellency, we have referred it through her Majesty's Chief Superintendent to our own Gracious Sovereign, who will, we humbly hope, communicate upon the subject with your Emperor.

In the meantime we shall gratefully receive any portion of our claims which your Excellency may be pleased to order to be paid, and be prepared to listen to the suggestions which the Hong Merchants may propose.

(Signed)

DENT and Co.
BELL and Co.
DIROM and Co.
J. and W. CRAGG and Co.
DANIELL and Co.
GIBB, LIVINGTON and Co.
EGLINTOUN MACLEAN and Co.
FOX, RAWSON and Co.
W. HENDERSON.
PRO ROBT. WISE HOLIDAY and Co.
WM. THOS. KINSLEY.

Inclosure 4 in No. 117.

Captain Elliot to Mr. Inglis.

Sir, *Macao, March* 27, 1838.

I HAVE the honour to acknowledge your letter of the 24th instant, with its inclosures: they shall be transmitted to the Right Honourable the Secretary of State for Foreign Affairs in the course of a few days, one copy by the way of Egypt.

I feel warranted in assuring the Memorialists that the urgent importance of their appeal to His Lordship will command his immediate attention.

Independently of the large amount of British Capital actually at stake, (seriously impressive as that reflection undoubtedly is), there is a more extensive consideration leading to general conclusions which will probably occasion Her Majesty's Government far more anxiety upon the whole subject.

It is to be found in the unavoidable inference that the altered manner in which this great trade is conducted upon our side must render these grave embarrassments more frequent of occurrence than they have ever yet been, till

some suitable modification has been made upon the part of the Chinese Government. Neither does it seem to be doubtful that failing such needful adaptation of system, the difficulties of adjustment will be enhanced at each succeeding crisis; and that the growing general complication of the Hong merchants' affairs, and the utter destruction of confidence in their stability, will inflict, at no distant date, excessive injury on commercial and financial interests of great moment.

Mindful of the position of British creditors upon the Hong merchants, I will not proceed to the length of formally calling upon them to decline to accede to any period, either yet offered, or likely to be offered for the complete liquidation of their present claims. But at this earliest conjuncture that the subject has been officially drawn under my notice, I feel it my duty as the Superintendent of the British Trade with this Empire, to record my opinion that the determination of a just period had better be left open for arrangement between the two Governments.

I shall beg leave to express my own conviction, that the creditors would be taking a sound course, both as respects their own and the permanent interests of the Trade, in steadily declining to have any further concern with these matters than to receive the whole or such instalments of their claims upon the Chinese Government as the Provincial Authorities may think fit to pay.

This view is founded upon the best consideration which it has been in my power to give to the Correspondence on the Hing-tae Bankruptcy, and upon the posture into which circumstances have now fallen upon that subject.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 5 in No. 117.

THE CHINESE SECURITY MERCHANTS IN CANTON, AND THEIR DEBTS.

Canton, 1838.

THE following exposition of the state of the Chinese Hong merchants in Canton, is designed to make known in England, what is believed to be the ill-understood conditions upon which the British and other foreign merchants who reside there, conduct their trade, with the hope to interest the public of Great Britain, especially the mercantile part of it, in the case, and to induce Her Majesty's Government to interpose with the Imperial Government of China, in order to procure payment of certain debts owing by the Hong merchants to the foreigners, which the latter have incurred almost necessarily, under the conditions of the trade.

It must be generally known, that the Chinese Government has prescribed to the foreign merchants of Canton, to confine their trade solely to twelve or thirteen licensed persons, called Security or Hong merchants. In their collective capacity they are commonly called the Co-hong, and they have a place of meeting called the Consoo Hall, for the general purposes of their guild, and their deliberations held there, are called in the jargon of Canton, Consoos. They all hold nominal rank under their own Government, and they are the actual police magistrates over the foreigners, and have been so styled in some of the orders of government, and in this capacity they are held amenable for the conduct of the foreigners. In their mercantile capacity they trade separately; but they are made mutually responsible, by their own government, for the debts which each may incur, either with their government for duties, or with foreigners, in prosecution of their trade. Under the latter condition, they are at this moment indebted several millions of dollars to the foreigners, chiefly British, who have repeatedly demanded payment of their claims, and petitioned the local government of Canton concerning them, during the last ten months. The remonstrances of the claimants have hitherto had little effect, and it is apprehended that without aid from their own governments, their debts will either never be paid, or else liquidated at so remote a period, as to amount to a total loss of their immediate trading capital. It is to procure this aid that the following statement is drawn up;

up; which, to explain clearly the circumstances under which the debts of the Hong merchants have been incurred, is divided into the following heads.

1. The past and present state of the Chinese Hongs, and the relations of the foreign merchants with them.

2. The altered situation of the British merchants, under the free trade, which has deprived them of the means they possessed previously, to recover their claims.

3. The altered circumstances of the Hong merchants, owing to the free trade, and other causes, which offers them no longer, the same means to meet their engagements.

1.—*The Past and Present State of the Chinese Hongs, and the relations of the Foreign Merchants with them.*

So early as the year 1702, we read of an attempt to confine the whole foreign commerce of Canton to one individual who was called "the Emperor's merchant." Upon enquiry, two years afterwards, it was ascertained that this merchant had no goods himself, whilst he debarred others from traffic. The English determined in consequence, not to advance money, upon which the Emperor's merchant agreed to allow other merchants to participate in the trade, upon payment to him of nearly 5,000 taels per ship. These others, however, showed an equal disposition to monopolize the trade which the foreigners continued to resist with various success, down to 1720, when the Chinese merchants formed themselves into a Co-hong, for the purpose of agreeing upon the prices at which they should sell their goods. The British supracargoes refused to trade with the Chinese monopolists, and remonstrated upon the subject with the Viceroy, who undertook to abolish the Co-hong. It would appear that the practice of making two Chinese merchants security for each foreign ship, had arisen concurrently with the Co-hong, and the English supracargoes continued to protest, against the one and the other, down to 1754, at which time they gained no other satisfaction, than the assurance "that any deficiency of duties upon a ship, would be levied upon the whole body of Hong merchants,"—the Co-hong, in fact, instead of upon the particular securities. A few years after (25th year of Keenlung,) a series of Imperial Edicts were promulgated, to re-establish and confirm the Co-hong, in consequence of a petition from the Security merchants to the Viceroy, claiming, that the trade carried on with foreigners, "ought of right to be their sole province." The East India Company's records state, that at this time, there were only ten Security merchants, of whom half were of no consideration, or dependent upon the others. "The substance of either the Security merchants, or the shopmen," says the records, "is little known, and if it were so, it might probably appear in favour of the shopmen." The supracargoes apprehending that the edicts would "open a way to a monopoly which must entirely destroy commerce," opposed the Co-hong, to the utmost of their power, and eventually effected an apparent dissolution of it, as appears by the Viceroy's edict of February, 1771. The head Hong merchant, Paunkhequa, claimed the merit of achieving this measure, and represented that it cost him 100,000 taels (about 30,000*l.* sterling,) which the East India Company's supracargoes repaid him; but the dissolution of the Co-hong appears to have been nominal only, for in 1777, a mandate appeared which declared, that the foreign trade could only be conducted with the ten Hongs, and the system of Security merchants, with slight variation in the number of the Hongs, has continued ever since.

The first notice we find of debts owing by a security merchant to foreigners, occurs in 1774, when Seunqua, a Hong merchant, became bankrupt, and his affairs were submitted to the investigation of the Mandarins. The foreign creditors petitioned the Viceroy and Hoppo upon the subject, which led to an arrangement for paying off the debt, as it then stood, amounting to 266,672 dollars without interest, by ten annual instalments. The amount of one only of these instalments, however, was realized in the three following years, and the remainder of the debt was merged in the large claims of which mention will be made immediately. A representation was made to the Court of Directors in London, 1779, concerning debts owing by the Chinese merchants to British subjects in China, amounting to 1,000,000 sterling, and the Court consented to

allow their Supracargoes in Canton to endeavour to effect an adjustment. No part of this debt was owing to the East India Company, but all to private traders or other parties, and chiefly for money loaned to the Chinese at a high rate of interest. After investigating the claims, the Select Committee of the East India Company's Factory declared, that of the 4,000,000 dollars alleged debts, not more than 1,078,976 dollars appeared to have been received by the Chinese in goods or cash; the balance was accumulated interest: one claim alone had grown in this way, from 9,609 taels, to 81,900 dollars. Some of the bonds outstanding were for more than triple the principal, and the names on them quite illegible; on some the original sum lent had been paid; yet, by accumulated interest, the bonds were still outstanding to a large amount. Some of the bonds, however, were for goods.

The Select Committee seem to have entered upon the task of demanding payment of the claims with considerable reluctance, from apprehension that their liquidation would embarrass the solvent Hongs, and occasion the imposition of further burthens upon the Company's trade.

The Chinese merchants, who become indebted to their Government for duties, and are declared bankrupt in consequence, are liable under their laws, to be punished by banishment. There appear to have been only eight Hongs at this time, of which four were in the above predicament, and the Committee feared that the banishment of those four would reduce the rest to a close monopoly. The difficulties attending the claims protracted their settlement, until some of the creditors, who resided at Madras, made representations upon the subject to the Government of that Presidency, and to Sir Edward Vernon, the Admiral on the station, in consequence of which the latter sent on the *Sea-horse* frigate to China.

Captain Panton, the Commander, on his arrival at Canton, proceeded, contrary to the advice of the Select Committee, but in conformity with his orders, to deliver in person the letter from the Admiral to the Viceroy, of which he was the bearer, and to urge payment of the claims. It appeared, in the course of the negociations and discussions which followed, that the Imperial Edicts of the twenty-fifth year of the reign of Keenlung had based the foreign trade upon a system of mutual security. The shopkeepers, for example, who were allowed to sell certain articles only to foreigners, were bound to ship them off through the Hong of a security merchant; and every series of five shopkeepers became joint-security to a Hong merchant for payment of the duties in their trade. The Hong merchants were, in turn, bound mutually to the Government, for the duties owing by them individually, and also for their respective debts incurred by their legitimate trade to the foreigners, for which the Government became guarantee. But the Emperor, at the same time, prohibited the foreigners to lend money upon interest to the Chinese merchants, and ordered all such loans to be confiscated, and the borrowers to be declared criminal. As the Co-Hong, established by the Edicts, had subsequently (1771) been nominally dissolved at the foreigners' request, it now became a question, how far the system of mutual security was still applicable to foreigners, and if it were, how far they had reason to expect debts to be paid of the nature of those described above, which had been incurred in direct opposition to the Imperial mandate. Captain Panton was able to effect nothing on his first visit; but he went to Madras, and returned again to China; whilst, during his absence, frequent communications took place between the creditors, the Select Committee, and the civil authorities of Canton, who had lately submitted the case to the Emperor. The debts on the 31st December, 1779, with the accumulation of interest, were as follows:—

		Dollars.
Owing by the Hong merchant .	Yngshaw .	1,354,713
	Coqua . .	1,151,299
	Seunqua .	634,784
	Kewshaw .	438,785
	Munqua .	141,112
	Conqua .	81,944
Under 208 bonds		3,802,587
Owing by shopkeepers, under forty-one bonds . .		494,063
	Total	4,296,650

The

The Emperor's will was communicated by the Viceroy of Canton to Captain Panton, in his second visit, in October, 1780. It referred to the former Edicts respecting loans of money to the Hong merchants, and described several of the above debts as coming under this head, and being, moreover, made up of usurious interest. Others, as Coqua and Seunqua's, were owing by men long since bankrupt, upon whose debts there could be no accumulation of interest allowed. It finally selected Yngshaw and Kewshaw's debts as the only ones entitled to consideration, on the ground that these parties acknowledged to have received to the extent of 136,700 and 165,600 taels respectively in money, in the 23rd year of Keenlung, prior to the Edicts of the 25th year. One-half only of their accumulated debt, in December, 1779, was therefore ordered to be paid, namely, 600,000 taels in ten annual instalments of 60,000 each. The distinction of bond debts, and trading debts, is distinctly preserved in the reply, by which the mutual guarantee system is tacitly admitted to be still in force, and we shall see that it has been acted upon ever since. The mode of paying the debts was not prescribed by the Emperor, but left to the local officers of Canton, between whom and the Hong merchants it was arranged, the following year, to impose a duty of 1 tael and 2 mace per pecul, upon green tea, 6 mace 2 candarin upon black tea, and 6 per cent. upon raw silk.

The condition of the Hongs is thus described in the East India Company's Factory Records, in the beginning of 1780.

"Coqua is entirely ruined.

"Seunqua's brother was declared a bankrupt in 1774, and the Mandarins undertook to settle his debts with the English. According to their decision, the Hong still owes about 222,000 dollars.

"Kewshaw is much involved.

"Yngshaw's debt amounts, by his own account, to nearly a million of dollars. Yet he still does business, but no confidence can be placed in him.

"Chowqua and Shykinqua are, we believe, very clear of debts, and are people of property.

"Munqua owes a great deal, but is not supposed to be in immediate distress.

"Puankhequa's debts to the English do not amount to more than 80,000 dollars; with a little management, he is the merchant most to be depended on.

"These merchants," the Committee add, "have been ruined in part by their own vanity and extravagance. Money became so plenty here, and was offered to them with so seeming a liberality, that they could not withstand the temptation of borrowing it; but, although much may have been expended by their vain and expensive way of living, the greatest part has, we believe, been extorted from them by the oppression of the Mandarins."

By the Hoppo's order of the 17th April, 1782, the following five new Hongs were established, viz.: Sinqua, Gewqua, Pinqua, Seequa and Seenshaw, and two extra Hongs were contemplated, Exchin and Sinchong. But the new Hong merchants are described to be forced into the business, and to be men of no substance. The old Hong merchants refused to be security for them, and the five new were ordered to be mutual security for each other. In the following year we find the following recorded by the Select Committee. "Yngshaw and Kewshaw are on the point of being sent into banishment. Coqua's Hong is long before bankrupt; Seunqua's nearly in the same situation, and Munqua too much embarrassed to be of any consequence; so that the whole trade is in a manner confined to Puankhequa, Shykinqua and Chowqua, and the new Hongs." In allusion to the settlement of the debts, we find the following remark, which is worthy of attention. "It seems to be an established maxim amongst the Mandarins at this place, to discourage, as much as possible, all applications to the Emperor, both as they may prove dangerous to their persons and derogatory to their consequence: except in circumstances that cannot be concealed, as in the case of Captain Panton, without whose interference, we are well assured, no representation from the creditors, or any other body of men, could ever have reached the court. Much less can we expect the assistance of the Hoppo, through whom it must necessarily pass in the first instance."

No instance of debts owing by Hong merchants after the foregoing are found until 1793, when claims upon the security merchant Eequa, chiefly put in by Parsees, were paid in one year by the Co-hong, under orders from Government, amounting to 30,000 taels. In 1796, Shykinqua had become heavily indebted to the East India Company's Factory, which, however, held

security, apparently in mortgage, to the extent of 280,000 taels. The Co-hong purchased the security, and the balance of the debt, amounting to 600,000 taels, was paid by six annual instalments.

In 1793, according to Milburn, there were twelve Hongs, and in 1808 fourteen, viz.:

Puankhequa,	Ponqua,	Manhop.	Fatqua,
Mowqua,	Gnewqua,	Poonequa,	Fonqua.
Puiqua,	Consequa,	Lyqua,	
Chunqua,	Exchin,	Kinqua,	

Of the eight Hongs spoken of by the Select Committee as in existence in 1780, we find in 1808, only Puankhequa, and none of the new Hongs, said to have been established in 1782, except Exchin. As a Hong-merchant is never allowed to forsake his calling during his life, and his son or relation is always made to succeed him, and there is besides some pride in keeping up the name of a Hong, we may suppose that all the other Hongs of 1790 had become extinct through bankruptcy.

In 1810, the Select Committee had to enforce payment by the Co-hong, of debts owing by Gnewqua and Goqua, amounting to 1,400,000 taels, which were arranged for liquidation in ten years, and the former's final dividend was paid in March, 1821. In 1813, debts owing almost entirely to private British traders or others were recorded against five Hongs, including the above Goqua, as follows:

Consequa	822,806
Exchin	820,610
Manhop	1,237,681
Poonequa	741,147
Goqua	341,953
Dollars . .	3,964,197

An attempt was made, on this occasion, by four of the solvent Hongs, to monopolize the whole business, which was evaded by the Select Committee obtaining permission for the five bankrupt Hongs to continue their business under a trust-deed, and the following minute was entered in their records on the occasion.

"The European creditors of the Hongs, Consequa, Exchin, Manhop, Poonequa, and Goqua, have at length come to a conclusive arrangement respecting the debts due by those merchants, and have resolved to await the payment of their claims by such profits as may arise from the commerce carried on by the Hongs, in preference to making any application to Government for the payment of their debts, and which, of course, would occasion those Hongs being declared bankrupts. With the exception of Consequa and Goqua, whose debts to the Company are not considerable, these Hongs have cleared off their debt with the Company, and all have a balance to receive this season, when all the teas are delivered."

In 1821, we find the following memorandum in the books of a private creditor. "If the liquidation of these merchants' (Exchin, Manhop, and Poonequa) debts were to proceed merely in the same ratio that they have done for the last eight years, the creditors must see at once the necessity of an appeal to Government, taking all chance of the issue; but hopes are held out of a more rigid system of management being observed than hitherto, and the merchants being subjected to fewer demands on them."

Manhop's final dividend, however, was paid in December, 1823, and Exchin's in March, 1826. The others are accounted for in the following list of insolvencies recorded subsequently—which was recently laid before the Chamber of Commerce in Canton.

	dollars.	*dollars.*		*dollars.*
CONSEQUA died insolvent in 1823, owing foreign debts		171,091	Drs.	8,090
PACQUA failed about 1823 to 1824		671,463	do.	132,467
POONQUA died insolvent in 1827 .		122,211	do.	226,905
MANHOP failed in 1828 . .		1,125,538	do.	385,148
CHUNQUA failed in 1829, owing 869,763 dollars less proceeds of his Hong property	290,570	579,193	do.	41,226
		Drs. 2,669,496	Drs.	793.836

Paid

Paid as follows:	Foreign. *dollars.*	Duties. *dollars.*	Total in each. *dollars.*
In 1825	34,218	6,360	40,578
„ 1826	34,218	169,337	163,555
„ 1827	166,777	4,858	171,635
„ 1828	207,516	164,662	372,178
„ 1829	406,962	241,897	648,859
„ 1830	362,618	196,548	559,166
„ 1831	321,882	8,948	330,830
„ 1832	378,435	38,965	417,400
„ 1833	378,435	2,261	380,696
„ 1834	378,435		378,435
	2,669,496	793,836	3,463,332
Add portion of Chunqua's debts liquidated from Hong property	290,570		
	2,960,066	Total foreign debts in ten years.	

" Consequa died insolvent in the Autumn of 1823, owing foreigners 171,091 Spanish dollars.

" His foreign creditors made incessant demands for the settlement of their claim, which the Co-hong, at length, with the sanction of Government, arranged for payment in five annual instalments. But the amount being small, the foreigners insisted on a shorter period being fixed, and a party of them in the autumn of 1824, presented a petition at the City Gate, where they were determined to remain till better terms were granted. They maintained their post during the whole of one night, and till midnight of the second, when Howqua, after various unsuccessful attempts to drive them away by intimidation, expressed his readiness to agree to whatever terms might be demanded. On which the foreigners consented to receive payment in three annual instalments, in lieu of five as fixed by the Government.

" Pacqua, Hong merchant, had for several years been in a tottering condition, and various compromises had been made of his debts, from time to time, notwithstanding which, however, they continued constantly on the increase. And after a protracted negociation, the Hong was finally broken in 1825, and he himself banished to Ele; for which destination, however, he does not appear to have started till 1828. His debts, then adjusted, amounted to 671,463,38 Spanish dollars.

" His death at Ele was noticed in the Canton Newspaper three or four years ago.

" Poonqua, Hong merchant, died insolvent in January, 1827, owing to foreigners 122,210,80 dollars, which were agreed to be paid by the Co-hong, in three annual instalments, commencing in February, 1828.

" Manhop, Hong merchant, failed early in 1828, say in January, after having been several months in a very tottering condition. His debts to foreigners amounted to 1,125,538 Spanish dollars. Petitions for a settlement were immediately presented, which, however, was not arranged till December, 1828. In February, 1829, the first dividend of one-sixth was paid, and the whole completed in six instalments, in February, 1834.

" Chunqua, Hong merchant, failed in 1829—the senior partner having retired to Nankin, carrying off all the property in charge of the Hong, which he left, in debt, under the management of a stupid younger brother. His debts to foreigners amounted to 869,762,32 dollars. The first petition for a settlement was in September, 1829. The subject was pressed on the Government and Hong merchants during the whole of 1830. It was not, however, till March 10, 1831, that the first dividend was paid of twenty-three per cent., 198,150,29 dollars. In July, 11½ per cent., 99,075,10 dollars, both arising from the Hong property. In February, 1832, 190,845,64 dollars. In 1833, 190,845,64 dollars. In 1834, 790,845,64 dollars. Total 869,762,32 dollars, the three last from the Consoo fund."

The nature of the above debts will be explained by the fact, that bonds or chops, as they are commonly called in Canton, were lodged by private individuals

in the hands of one house of agency to the amount of 746,000 dollars on the 1st January, 1824, all bearing interest at rates of 10 to 15 per cent.

The whole of these bonds were liquidated prior to the expiration of the East India Company's charter. No other failure has occurrad since Chunqua, except Fatqua, who owed nothing to foreigners, but was indebted for Government duties, for which his Hong was closed and he himself put in prison, where he died last year, until Hingtae's bankruptcy, which is the more particular cause and subject of this publication.

In the beginning of 1837 there were thirteen Hongs, viz.:

Howqua,	Hingtae,	Samqua,
Mowqua,	Mingqua,	Kwamqua, [Footæ]
Puankhequa,	Saoqua,	Lumqua,
Goqua	Punhoiqua,	Takqua.
Kingqua,		

Of these, Howqua's Hong is the same as Puiqua [his brother] mentioned in 1808. Mowqua, Puankhequa, Goqua, are sons of the Hong merchants of that date, and the old Kingqua died a few months ago. The acting members of Howqua and Puankhequa's Hongs are both wealthy men, but they do little or no business directly with foreigners. Goqua's Hong is clear of its former embarrassments and doing business; as is also Mowqua, who is, however, still in debt. Kingqua has never recovered embarrassments of old standing. Mingqua, Saoqua, Samqua, and Footæ, are Hongs of about five to nine years' standing, and doing active business. Punhoiqua, Lumqua, and Takqua, are all nearly or entirely extinct for want of credit.

Hingtae suspended payment towards the end of 1836, and a petition was sent by foreigners to the Viceroy, to demand payment of his debts in the April following. After some delay, a Committee was appointed, consisting of the three senior Hong merchants and three foreigners, to examine the claims which were put in at 2,738,768 dollars, and were eventually passed by the Committee at 2,261,439 dollars; the amount curtailed being chiefly surcharges for interest, or unadmitted claims for bad goods; but the whole of the debts appeared to have been incurred in actual legitimate trade.

The case was again referred to the Viceroy, and has since been repeatedly urged on him; who has engaged that "the debts shall be paid to the uttermost mite [Edict, 1st December, 1837,] and has enjoined the Hong merchants to make arrangements for that purpose. They purposed to pay the claims by instalments, beginning in the shipping season of 1838 and 1839, at first in twenty years, then in fifteen, and lastly in nine years. The claimants, however, have not only objected to such a distant liquidation of the debt, without interest, but they have required that Kingqua shall also be included in any arrangement that is made, whose debts to foreigners are said to amount to about one million of dollars. This Hong has long been considered insolvent; but the foreigners have forborne to press their claims out of respect to the late father of the family, an old man of eighty years of age, for whose sake it was hoped his countrymen would find the means to carry on the Hong, and not expose him to the penalty and disgrace of a public bankruptcy. Since his death, which, as before noticed, occurred a few months ago, it has become necessary to put in the claims against the Hong. This is the more requisite, as it is understood that in some of the Consoos or consultations of the Hong merchants, legal difficulties have been started to make any private arrangements through the Co-hong for payment of the debts, without the sanction of Government. The question is, however, still under considertion by the Hong merchants, and propositions have been made amongst themselves to impose additional duties on articles of trade with the foreigners to liquidate all the claims; but it seems doubtful whether in the present state of trade they have either the power or the will to proceed further without an order from the Emperor, and still more doubtful if the British claimants have the means to bring the matter, with hopes of favourable notice, to the attention of His Majesty.

It may be here noticed that accusations were made against Shykingqua in 1796, and afterwards against Chunqua in 1829, of having abstracted large sums of money from their Hongs for their family use, which was never brought to account of their assets. The same accusation is now made against Hingtae by his own countrymen, the truth of which the foreigners have no means of ascertaining.

Mowqua's elder brother is said to have been mulcted some hundred thousand

thousand taels for indulging his vanity in an illegal attempt to exalt his father's name by posthumous honours; and both Howqua and Tinqua are known to have expended very large sums to obtain their son's promotion in the public service. The vanity of raising their families into consideration is, indeed, the only inducement that can be imagined, for men to become Hong merchants.

It must also be noticed, that a nominal fund, called the "Consoo Fund," is said to have been formerly instituted by the aid of certain duties upon foreign commerce, in order, as some suppose, to pay off the debts owing by the Co-hong to foreigners; but it is stated in Lord Macartney's instructions to have arisen in a measure from demands by the Emperor on the merchants, to support his wars, &c., and it was one object of the Envoy's embassy to enquire into the fund. The Court of Directors gave orders also in 1807, to remonstrate against it, and attempts have several times been made to enquire into it and abolish it; we have seen that a duty was laid on Chinese staples in 1781, with the Hoppo's sanction, to pay the Co-hong's duties, and similar duties have been imposed since, and are, without doubt, collected on some such pretexts to this day; but there seems no reason to believe that such duties have ever been funded. As the foreigners have never been consulted as to the mode of levying this fund, supposing it to exist, nor had any controul over its appropriation, they can in no way be responsible for its misapplication, and they ought not to suffer for any failure in its means to liquidate their claims or any other demands upon it.

It must further be noticed that the Emperor's Edict of 1782, which ordered the bankrupt merchant's debts to be partly paid, desired certain Mandarins to be appointed, through whom future dealings between the foreigners and the Hongs are to be carried on, to prevent future debts being contracted by the latter. The Hoppo accordingly appointed one of his subordinates to superintend the deliberations of the Co-hong, and to fix the prices of exports and imports; and this officer, Wei-Yuen, actually sat in committee with the principal Hong merchants, and it was he who fixed the extra duties to pay the debts. This practice appears soon to have fallen into disuse.

From the foregoing history of the Hongs, we deduce, that the conditions under which foreigners have traded in China for the last fifty years, at least, are:—

That the Chinese Government gives them no benefit of the laws nor institutions under which its own subjects live; but that they are subjected to a body of men, called security merchants, who hold nominal rank from the Emperor, and who are a peculiar police for the controul of foreigners and their trade.

That the Chinese Government gives no pay to the security merchants for performing this office, but recompenses them by a monopoly in the foreign trade of all the great staples of foreign commerce.

That to recompense the foreigners for the disadvantages of their situation, the Government guarantees to them the payment of the debts which they must unavoidably incur in such a limited trade.

If these deductions be correct, it rests, as a matter of course, with the Chinese Government, so long as it shall be pleased to preserve the Hong system, to find the proper men to become security merchants and to devise the means to pay the debts which those merchants shall contract. Had the debts of 1780 arisen out of the above condition of trade, Captain Panton would certainly have been justified in insisting upon their immediate payment, or, at all events, that interest should be paid upon them until liquidated; and it is probable that his demand, if duly supported, would have been complied with, and become the precedent for similar transactions in future. The Emperor of China may be pleased to lop off the interest, or to wipe off the half, or any portion of debts incurred under the above conditions, and the foreign creditors, if unsupported by their own Governments, have nothing for it but to submit. But their right to the whole remains the same, unless it can be shown that the debts are fraudulent or the interest usurious. Any evasion of the condition which leaves the foreigners' capital in the hands of the Chinese Government monopoly for its benefit, whether for one year or for twenty, is clearly an infraction of the Emperor's pledge. It may not have suited the East India Company to work out the correct principle, because the debts were in almost all cases due to persons whose interests they have admitted to be opposed to their own. Former creditors may,

moreover, have been content to compromise their claims, for reasons we shall presently show; but their reasons do not apply to the creditors of the Hongs in 1838, nor would the latter admit them, if their objections were likely to be heard in any quarter.

2.—*The altered situation of the British Merchants under the free-trade which has deprived them of the means they possessed previously to recover their claims.*

It has been shown, in the previous section, that in none of the cases which established the precedents for the payment of the Co-hong debts, were any part of those debts owing to the East India Company. They were due to British merchants in India, to the supercargoes and officers of the East India Company's service, and to other parties who furnished capital to the Hong merchants with which the latter conducted the Company's trade. These loans to the Hongs bore various rates of interest from twelve to twenty per cent., and the calculation of many of the parties who loaned was, that if a Hong in which they placed their money should last seven years at the first rate of interest, or four at the last, they doubled their capital by compound interest. Should the Hong break at the end of these respective periods, and the doubled capital be recovered seven years after in the one case, or four in the other, after the day of bankruptcy, they were still as well off as if their original capital had been the longest period of fourteen years in the English funds at five per cent. interest. The chances were, of course, very much in their favour; because, in addition to the possible stability of the Hongs, they had the means of transferring their bonds whenever they desired to withdraw their money, and few of them at the time of settlement in 1780 were in the first holders' hands.

When a Hong did break, the East India Company's Factory were ready to fight the battle to bring about a settlement of the claims, and their dealings with the security merchants afforded them the ready means to receive and distribute the dividends. For although it was not the interest of the East India Company to push the claims beyond what was barely necessary to satisfy the creditors, it was entirely their interest to regulate the payments which the clamour of the creditors rendered unavoidable. The Select Committee desired to maintain the Hongs in the most effective state in order to preserve as much competition as possible amongst the Chinese, and prevent too close a monopoly by the Co-hong. They even went so far, in one case, as to advance the bond-money to the creditors on the security of the solvent Hongs.

The solvent Hongs, on the other hand, were always too ready to buy up the debts of the bankrupts, where they had the means, to secure the lapsed shares of the Company's business.

The creditors of Hingtae's Hong have none of these advantages, and their claims which appear in every case to be balances of actual transactions of trade, have all, or nearly all, originated since the opening of the trade; nor has interest been charged in any case, apparently, above the market rate of twelve per cent.

Here it is necessary to digress, to show how certain acts of the British Government have tended to involve the British merchants in Canton with the Chinese, at the very time when they were taking from them the means to recover their money. Those acts were:—the permission to the East India Company to continue an agency in China, for the purpose of passing their funds from India to England; the retention of the stock of tea in England in the East India Company's hands after the expiration of their charter; and the sudden, and to the merchants in China, unknown alteration of the tea duty in 1836. The effect of the first of these causes may easily be made apparent. The currency of Canton is confined to the old Spanish Carolus and Ferdinand dollars, which, being no longer coined, are becoming scarce everywhere. The expedients devised to obviate a restricted currency, occasion about a fifth part only of the mercantile transactions of the place to be exchanged by actual cash payments. The whole foreign exports and imports of Canton, amount together to about sixty millions of dollars, and taking this as the amount of exchangeable property, a fifth, or 12,000,000 dollars, only is required for cash transactions. But as the same dollar may be made to perform more than one payment in a day, and the absence of banks occasions every one to keep unemployed money in his chest for emergency,

gency, we may safely suppose that the average actual circulation amongst the foreigners and the Chinese with whom they deal, is not more than five millions of dollars. Nearly two millions, or one-third at least of this amount, is supposed to have been locked up in the treasury of the East India Company's agents, for several months prior to the few last weeks, and it is now in the act of being poured into circulation by means of their advances upon goods. The public prints which we have lately received from England, teem with complaints against the Bank of England, for the sudden expansions or contractions of its issues by half a million or a million sterling upon its own circulation of sixteen or eighten millions. What, then, must be the effect of the sudden expansion or contraction of our circulation, by one-third of its whole amount? But the evil of the East India Company's agency, which we have particularly in view, occurred on the opening of the China trade, concurrently with the mischief occasioned by the retention of the East India Company's stock of tea. If upon the expiration of their monopoly, their teas in England had been thrown at once into the market, the price would of course have been depressed, and they would have passed at the low rates, into the hands generally of those who were about to engage in the China trade. A corresponding depression in price had necessarily followed in Canton, which would in turn have occasioned diminished production. The temporary vacuum in the trading capital of the place, in consequence of the cessation of the East India Company's trade, had they left no agency, would have allowed little competition, and the India cotton and home manufactures might easily have been bartered for the low priced staples of China, which would then have been a safe remittance to Europe. The retention of the East India Company's stock of tea in their hands, on the contrary, by maintaining high prices at first in England, brought speculators into the Canton market to whom the East India Company's agency afforded the means to buy teas over the heads of the resident merchants, the holders of goods. The Hong merchants took the money in preference to goods, and tempted by the high prices of teas, they sent it up the country to increase the production for the following year. In proportion as the Chinese staples were raised in price, so were the foreign imports depressed. Competition forced them, however, into the market, and the readiest buyers were the neediest Hong merchants, who purchased them at long credits to resell them immediately among their own countrymen for cash. Such part of the imports as were sold by the resident merchants in this way form, perhaps, in many cases, the claims now under consideration. Other imports were bartered for teas at the prevailing high prices, which being shipped to England, came into contact with the East India Company's heavy stock; and, in one case, with the unexpected alteration in the tea duty, by which they incurred losses of from twenty to fifty per cent. The loss occasioned by the duty was aggravated too, in some cases, by the capricious valuation of the teas. Documents were formally attested before the Chief Superintendent last season, and forwarded to England to prove, that Bohea tea which had been contracted for and supplied by the same Hong merchant in the same chop name, but shipped to two different ports in England, was at one called Bohea, and at the other Congo, and the duties, before the equalization, levied accordingly.

It must be remembered that the foreigner in Canton, has not the same choice in his dealings as merchants in other places. He has barely the ordinary exercise of prudence. He can sell the bulk of his goods, cotton for instance, to one of four or five parties only; he has no warehouse to stow it in; no means to insure it against fine. Having once landed merchandise, he can get no return of the duty paid on it, and cannot therefore reship it, whatever be the state of the market. There may be no alternative, but to sell it to men of dubious credit, or to barter it for other goods of dubious out-turn in the market they are sent to. Under such circumstances, it can be no matter of surprise, that nearly every foreign house of agency in Canton is implicated more or less with the bankrupt Hongs, and all alike helpless, apparently, in obtaining payment of their debts.

Another circumstance of the foreign trade may be alluded to under this head, not as applicable to the present engagements of the foreigners with the Hong merchants, but as very likely to influence them materially hereafter; which is, the probably altered character of the opium trade.

This drug, which forms about three-fifths of the whole British imports into China, has hitherto been kept out of the Hong merchants' hands, and has been the principal means of enabling the free traders to endure the burdens upon the

legal trade. The rapidly increasing introduction of this article into China, not called for by urgent demand on the part of the Chinese, but impelled by our fiscal measures in India, threatens to vex and alarm the Chinese Government beyond endurance. Their recent attempts to check it, have only tended to remove the smuggling of the drug from one place to another. The consequence is, that upon the eastern coast of China, where an occasional vessel only appeared ten years ago, there have lately been as many as sixteen or eighteen at one time, and some of them are stationary there.

The contraband trade at Whampoa too, which the Government succeeded in stopping eighteen years ago, when only 5,000 chests of opium were imported, has recommenced there now, when the importation is 30,000 chests and upwards. It is impossible to predict the result of such a trade; but none other can so easily be imagined, as the legal admission of the drug into port, which has already been proposed to the Government by some of its own officers. An overture was even made, it was said, last year, to the Hong merchants to undertake the trade. If these merchants are unable to conduct the large commerce which is already passed through their Hongs, as the facts adduced in this publication will, it is supposed, make it appear likely to be the case, what must be the effect upon them of the sudden participation of the valuable traffic in opium, which has always been the source hitherto, both in India and China, of very hazardous speculation? The consequence must be, accelerated ruin to themselves, and heavy losses to those concerned with them. It is quite in the course of probable events, therefore, that the legal traffic in opium may one day bring more serious calamity to the British merchants in India and China who are engaged in it, than the whole power of the Chinese Empire, apparently, is now able to inflict upon the contraband trade.

3.—*The altered circumstances of the Hong Merchants, owing to the Free-Trade and other causes, which afford them no longer the same means to meet their engagements.*

ALL the reasons which the Select Committee assigned for the ruin of the Hong merchants in 1780, are true to the letter, and applicable at present: in addition to which it is obvious that the evils arising out of the sudden opening of the British trade, which has been shown to affect the foreigners, must in turn, when the reaction arrives, injure the Chinese. They have, accordingly, been heavy sufferers by the low price of their staples which has prevailed for the few last months, and are consequently many of them in no condition to pay the debts which they had previously contracted.

The insolvent merchant Hingtae is the son of a respectable goldsmith, who kept a shop in the neighbourhood of the foreign factories, in which he amassed perhaps 50,000 or 60,000 dollars to bequeath to his sons at his death. On occasion of a demand for new security merchants, in 1828 and 1829, Hingtae, a mere boy, and his brothers, set up a Hong. In the course of the few years intervening between that time and his bankruptcy, he contrived for a while to transact a fourth or fifth of the whole legal foreign trade at Canton.

This Hong may be taken, with some exceptions, as a type of the origin of the Security merchants. With little capital and often with quite insufficient talent and experience to conduct an extensive trade, can it be surprising if they either close their career early, or else buy their experience at a cost, which embarrasses them during the remainder of their lives, and their children after them. The result of the experience of the two oldest and wealthiest partners of the existing Hongs, Howqua, and Tinqua, [acting partner of the Puankhequa Hong] has been, to induce them to withdraw for many years past, even during the Company's charter, from nearly all direct dealing in imports with the free-traders. This of itself tended to throw the greater portion of those transactions into the hands of the weaker and now bankrupt Hongs. If the majority of the Security merchants has become insolvent, as we have seen to be the case, whilst sharing in the profitable business of the East India Company, and supported by their influence, what may now be their fate, when opposed to the keen competition and activity of free-trade? If they were ruined in great part before, by the extortions of the Mandarins, as the Select Committee supposed in 1780, and as has been constantly asserted since; how are they now to supply the ever active cravings

cravings of those officers? It remains to be shown what the demands upon them are on this score.

The greatest infliction upon them, of this order, is the Hoppo, or Commissioner of Customs. This officer, on taking charge of his office, is said to be often encumbered with debt himself; and as his possession of the office is limited to a few years, it is his object to accumulate as much money as he can within that period. The payment of foreign claims upon the Hongs is quite adverse to his interest, because it takes so much from his squeezable material; but for any thing else he gains by their insolvency, inasmuch as it begets the necessity of new Security merchants, for licensing each of which, he exacts, it is said, a douceur of 30,000 to 50,000 dollars, according to the means of the applicant who has to pay, besides, about 30,000 more to subordinate Mandarins. In addition to the Hongs of last year, the present Hoppo has lately licensed two others, projected by men of no capital nor credit, and he is thought to have actually received a part of the fees which must have been advanced by other parties to the speculation. The Viceroy, however, ashamed apparently at the transaction, would not permit the Hongs to be opened. One of the prominent parties concerned in them was known to the foreigners as "Tom, the bird-man," from his previous dealings in singing birds: another was a tradesman, respectable in character, but, as has since been proved, a bankrupt, and his stock in trade, valued, it is said, at about 10,000 dollars, has been seized by one of his foreign creditors.

Besides the frequent demands which the Hoppo and other Mandarins exact from the security merchants in the shape of presents, and under similar pretexts; the first officer calls upon them, in the name of the Emperor, for extraordinary contributions on occasion of wars and insurrections, the irruption of the Yellow River or similar accidents, in addition to a standing tax of 10,000 taels per annum, in the name of the Imperial Ginseng monopoly. There is a requisition upon them at present for 60,000 taels on account of the Thibet war of 1826. The contribution was demanded in this year; but it appears that they have hitherto fought it off by the plea of poverty. It is now ordered to be paid by ten annual instalments, beginning with next year. They have likewise a Government claim upon them for the duties owing by the insolvent Hong Fatqua, amounting according to the Hong merchants' own account, to 300,000 taels, which is to be paid in two years, commencing with the present. The Hoppo anxious, no doubt, to get the start of the foreign claimants, has lately demanded of the security merchants to pay Fatqua's whole debt immediately, and also that they contribute three years of the Ginseng tax, or 30,000 taels, by anticipation, under pretext of an Imperial Order.

The claims upon the Hongs then, not including the Chinese creditors, who are numerous, but who cannot be paid until the Government and the foreigners, for whom the Government is security, are satisfied, may be estimated as follows:

	Due to Foreigners.	For Duties.	Total.
Hingtae debts	2,261,439	100,000	2,361,439
Kinqua do. estimated at . . .	1,000,000	240,000	1,240,000
Fatqua do. 300,000, I. E. equivalent to		418,000	418,000
The Thibet war, 600,000 taels equivalent to			830,000
Three years quota for Ginseng, taels, 30,000			40,000
Dollars	3,261,439	758,000	4,889,439

The above array of figures, in concurrence with the facts previously detailed, will make it appear hopeless, it is presumed, to most apprehensions, that the Co-hung, under existing circumstances, will be able to pay its debts within any period which, if interest be not added, will not be equivalent to the foreign merchant to the total loss of his trading capital. Some new machinery is required in the Chinese commercial system to meet the exigencies of the British free-trade, and especially to liquidate the first debts incurred under that free-trade, and establish the precedent for similar emergencies in future.

If the British merchants, aided no longer by the weight of the East India Company's influence, are unable to gain their just demands through the ordinary channels of settlement with their creditors, it is not to be supposed that they will be able, single-handed, to put any other instrumentality in action; and Her Majesty's Superintendents, like all other foreign authorities in China, however good their intentions, are as yet utterly powerless to assist them.

RECAPITULATION.

Before proceeding to show how the British Government may aid its subjects in China, it may be useful to recapitulate the preceding facts, and supply a few omissions to impress upon the mind of the reader.

That the debts now owing by the Hong merchants are a *bonâ fide* transfer, so long as they continue unpaid, of three millions of dollars of capital from the foreigners, chiefly British merchants, to the Chinese.

That these debts are not the result of speculation upon a high rate of interest, but are incurred almost necessarily by the conditions of the ordinary trade—and that another condition of that trade is, that such debts shall be repaid under the Imperial guarantee.

That the debts being an abstraction from their trading capital, and not a chosen investment of money, the foreign merchants have no longer the inducement to consent to a protracted payment of their claims, which former creditors had; nor if they had, could they now put the same faith in the fulfilment of the compromise.

That the British merchants who have succeeded to the East India Company, not possessing the advantages of that body's monopoly, and consequent identity of interest and unity of action, are neither in the position to avoid incurring the debts, nor to recover them when made; and that the organs of Her Majesty's Government in China have not as yet possessed the means to acquire moral weight with the local authorities, or Hong merchants, to replace the commercial influence of the East India Company's factory.

That whilst deprived of the East India Company's influence, but still opposed to a monopoly on the part of the Chinese, the foreigners have had to compete, so far as tea is concerned, with the worst effect of a Government monopoly in England, viz.; a heavy stock in the hands of parties not personally interested in its disposal; and, in one case, with an unlooked-for and arbitrary change in the duties, having to the British merchant in China all the effect of an *ex post facto* law. That these results have, further, been attended with the introduction of the East India Company's funds into Canton, in a manner to occasion violent derangement in the currency, and consequent fluctuation in prices.

That the above circumstances of the free trade have equally injured the Chinese merchants, and involved them in losses which have reflected upon the British merchant, in the shape of the debts now in question, and are likely, if no change occur, to lead to others hereafter.

That the British merchant in China has no choice but to trade with the Hong merchants, in the bulk of both exports and imports, excepting opium. He has, moreover, with few exceptions, no warehouses in which to store his goods, nor, consequently, the means to ensure them against fire or fraud, nor to enforce his contracts and engagements for them, with the Chinese.

That he has no choice in the nomination of the security merchants, with whom he is compelled to trade, nor means to ascertain the amount of their capital. He has still less means to know, if that capital be applied to the purposes of trade, or if it be abstracted for the demands of the extravagances, or for the aggrandizement of the Hong merchants' families.

That the new Hongs commence their career with the payment of a tax to the Hoppo and other Mandarins, of 60,000 to 80,000 dollars, which in most cases must absorb their whole capital, and compel them to borrow either from the foreigners, or from their own countrymen.

That new duties have been levied from time to time, under pretext of paying the debts of foreigners; but that those duties are not discontinued after the necessity for them ceases, and the foreigners have no means to ascertain if they

they are funded for the discharge of future debts, or appropriated to the use of the Hong merchants or the Mandarins.

That the foreigners are even compelled often to advance those duties for the Hoppo will not grant a port-clearance for a ship about to leave the port, until the duties upon her inward cargo are paid, which it is the proper business, according to the custom of the place, for the security merchant to do; not even when the goods are unsold, and the state of the market may keep them on hand for months. But as the so-called security merchants are not obliged to secure ships, the two wealthiest seldom or never do, and the duty falls oftener, in consequence, to the poor Hongs. It constantly happens, therefore, that the departure of a vessel is delayed, because the security merchant cannot pay the duties upon her cargo; and as most vessels are consigned to one party only, and her cargo to many, it becomes a matter of contention, who is to advance the duties for the security merchants, and the consignee of the ship is of course obliged to yield. The sums, which we have seen to be due to Government by the Hongs, are, therefore, chiefly on account of export duties and amount *pro tanto*, to a remission of duties upon their own staples, at the expense of the foreign imports.

That when goods are once landed, they cannot be reshipped except upon payment of the whole import duty again, in the shape of export duty; however bad the market may have become in the meanwhile, or however doubtful the credit of the Hong may have become, in which the goods are deposited.

The aid required from the British Government.

It is at all times easier to point out grievances and abuses, than to devise a remedy for them; and this is peculiarly the case with regard to the foreign trade in China. The remoteness of Canton from the seat of Government, renders it impossible to the foreigners to ascertain the policy of the Imperial Government with respect to the foreign trade, or to know if the acts of the local authorities spring immediately from that policy, or if they are merely the suggestions of their own self-interest or caprice.

Either from one or other cause, the foreigners are, no doubt, subjected to many annoyances in carrying on their commerce, some of which have already been submitted to the British Government, and remedies have been proposed, involving questions attended with remote consequences, which it does not fall within the province of this enquiry to enter into. Its object is limited to obtaining payment of the debts owing to British merchants by the Chinese, and guaranteed by the Chinese Government, and to lessen the risk, if possible, of incurring similar responsibilities in future.

These debts constitute a transfer of British capital to the Chinese Hong merchants, of about 3,000,000 of dollars, which the creditors require, surely not unreasonably, to be repaid within that time in which that capital would double itself by compound interest at the usual market rate of twelve per cent., which time is about six years. Whereas, the Chinese propose to liquidate the debts in nine years, beginning with next year; which, in the case of Hingtae, would be ten and a half years from the date of adjustment of account, and a still longer time in the case of Kingqua. The British Government may interpose its authority with the Emperor of China to obtain earlier payment of Hingtae's debts without fear, it is conceived, of compromising itself, since a committee of foreigners and Hong merchants, appointed by mutual consent, has examined and authenticated the debts, and the Viceroy of Canton has declared officially, that they shall be paid to their uttermost mite; but without specifying a period for the liquidation. The demand for payment of the debts, within a given time, may be met by the Chinese Government with precedents of former protracted liquidations of debts; but we conceive, that the justice of their being paid within the time specified above will be found unquestionable. But, even if the counter objections of the Chinese, or motives of policy, render it inconvenient to the British Government to insist upon a definite period of payment for debts already contracted,

it is humbly submitted, that both policy and regard for the welfare of the British subjects in China demand that a definite, if not immediate, payment shall be required for debts which the Hong merchants shall be found to owe in future. This alone would be a considerable boon to the foreigners in Canton, and possibly also to the Hong merchants themselves, by shielding them awhile from the extortions of the Mandarins, and from the liabilities which the solvent Hongs become exposed to, by having needy and incompetent persons thrust into their corporation.

Respect for European international law, as well as common justice, may also render it expedient to the British Government to dictate to the Emperor of China, if it have the power, the regulations under which the commerce of his empire with foreigners shall be conducted; but it may surely require of him to respect and enforce the rules he has himself laid down. He has prescribed to the foreigners to trade with the security merchants only who are nominated by himself or by his delegates; and, in so doing, he tacitly engages for their capability and proper conduct. It is for him to take care that the foreigners' capital, which passes through the security merchants' hands, be not diverted from its proper use, either by the folly of those parties, or by the extortions of his own officers. This duty will, it is conceived, be indirectly but pressingly enforced upon him, by the British Government insisting upon the debts being paid immediately, which the culpability of his officers assist in forming. The mere demand will, at the same time, accelerate the payment of the debt, sustained, as we believe it to be, by both right and reason; and it may easily be made in such a way as to compromise the British Government in no ulterior measures, whilst it may also be readily made the basis of further requisition, if it be deemed advisable.

Although accidental circumstances of trade have, in some instances, as at present, conduced to the debts of the Hongs, it will be seen throughout the preceding pages, that the exactions of the Hoppo and other Mandarins, are the principal absorbents of the capital of the security merchants, and, through them, of that of the foreigners.

Their extortions are thenecessary and understood consequence of their small salaries. This state of things belongs to most governments, perhaps, in a certain stage of their career, and no effectual change in it by foreign interference can be foreshown short of reform, amounting almost to a revolution in the government.

So long as this practice exists, any treaty or tariff made with the Chinese Government will always be evaded or misdirected, like the supposed Consoo Fund, unless watched over incessantly, and checked by some more powerful controul than is possessed at present by the British Superindent or any foreign Consul in China. But the firm and decided demand of the British Government for the immediate payment of money owing to its subjects, which may otherwise be diverted by the rapacity of the Mandarins, may ensure the temporary exertion, at least, of the Emperor's power to restrain their extortion.

The alternative may suggest itself to the Emperor, of abolishing the Co-hong system altogether, and this, if it led to unrestricted competition amongst the Chinese merchants, would be, perhaps, the happiest result which could be expected; but caution will be required in admitting the proposition. If the Co-hong be abolished, the Hoppo's office must be remodelled, and a host of subordinates, who belong to the system, should fall with it, else the evil will be shifted merely, and not eradicated. The exactions of the Mandarins would follow the free-traders as grievously as it now does the Hong merchants, and the foreigners would have lost the only check they now have on those exactions,—the necessity of the Hong debts being repaid.

The abolition of the Co-hong would be totally ineffectual also, unless attended by a better system of collecting the Customs duties, and the general acquisition by foreigners of warehouses, in which to store their goods; but to obtain the warehouses, will require either that their residence be permitted beyond the precincts of the present foreign factories, or else that the factories be considerably enlarged.

To the first plan, the Chinese Government seems to have an almost invincible objection, and the value of the property in the neighbourhood of the factories, beyond what is necessary for mere residence, would make the last

so expensive, that, if gained, it will almost certainly impose additional duties upon the trade. The only middle course which seems to present itself, is one which has been talked of amongst the Chinese themselves, that two or more of the existing Hongs be constituted custom and bonded warehouses, through which all foreign imports shall be passed, and pay duty according to a fixed tariff. Yet these, if under the controul of the Chinese Mandarins, would only subject the foreigners to the petty vexations and delays by the underlings of Government, which the Hong merchants and their assistants now encounter.

This objection might be obviated by the British merchants having a common warehouse of their own, and under their own controul, through which the goods should pass, and duty be paid, and a manifest handed to the Mandarins for their satisfaction, attested by the British Superintendent, or some similar plan. These suggestions, however, are not intended to dictate any particular course to the British Government, but only in the hope to draw its attention to the unprotected situation of British subjects in China, and to point out the assistance which may most readily be afforded, and will, at the present moment, be most gratefully received.

The preceding statements cannot better be concluded, perhaps, than by the paragraph already quoted from the records of the East India Company's Committee in 1783, viz.:—

"It seems to be an established maxim amongst the Mandarins at this place, to discourage, as much as possible, all applications to the Emperor, both as they may prove dangerous to their persons and derogatory to their consequence; except in circumstances that cannot be concealed, as in the case of Captain Panton, without whose interference, we are well assured, no representation from the creditors or any other body of men could ever have reached the Court, much less can we expect the assistance of the Hoppo, through whom it must necessarily pass in the first instance."

Canton, February 19, 1838.

No. 118.

Captain Elliot to Viscount Palmerston.—(*Received August* 31, 1838.)

My Lord, *Macao, April* 2, 1838.

I HAVE now the honour to resume the subject of my Despatch of 29th March, of this year.

It is remarked in the fourth paragraph of the Memorial submitted in that communication that the debts owing by the Co-Hong either to the Government or to foreigners have never been paid entirely out of their own resources, but chiefly by means of duties levied upon the staples of the foreign trade, as the Hong merchants propose to liquidate those actually in question. "Such duties," the memorialists continue, "once imposed, appear never to have been taken off when the first occasion for them has ceased."

I would take the liberty to draw your Lordship's attention to this place, as perhaps needing some few words of more full explanation.

Whilst there can be little doubt that the previous part of the exposition is accurate, it must not be inferred that each occasion of embarrassment amongst the Hong merchants has been accompanied by additional duties, for that has not been the case.

Connected with this subject, I would beg to observe that the notice the Memorialists have taken in the same paragraph, (the 4th,) of the charge for what is commonly called "Consoo fund," is correct as far as it goes.

But it will perhaps be desired that some more copious information should be furnished on this point, the more so as it has been generally supposed that the charge was originally created with the express sanction of the Government, for the special purpose of forming a fund to meet the foreign debts.

There is no evidence, however, that the Chinese Government has ever recognised such a fund, and it is almost certain that no reserve of money has ever been in existence for such an object.

The charge was imposed in 1779, as the terms themselves signify, for "Hong use," in other words, to meet all common demands against the Co-Hong, whether for foreign debts or for the exactions of the Government. It was then settled as a charge of 3 per cent. on certain specified articles estimated at a fixed value; and it seems to have been raised at different times to 4, 5, and 6 per cent., and indeed, I find upon one occasion a complaint in the public consultations, (1813—14,) that it then amounted to upwards of 7 per cent.

Although the charge has never been regularly collected and funded, an amount fluctuating between 3 and 7 per cent. has always remained a permanent burden on the trade, because allowance is constantly made for it in the price of the liable merchandize, each Hong merchant paying up whatever proportion may be necessary to meet the particular exigencies of the year, and the difference remaining to himself as profit.

I should add, that this particular business is managed exclusively by the three senior Hong Merchants, so that very little is known about the average amount raised, and indeed beyond the great probability that the proceeds are subject to gross misappropriation, nothing further can be safely advanced concerning the matter.

The Consoo charge presents, no doubt, a subject of just remonstrance; but the liability of the Chinese Government for these Hong debts rests upon different and much stronger grounds.

By the law of the empire, all the foreign trade must pass through the hands of certain native merchants appointed under the special authority of the Emperor, and thence arises a plain national guarantee for their stability; neither can it be denied, that this principle had always been recognised and acted upon.

I believe I may turn now to other considerations.

The inaptitude of the ancient mode of carrying on this trade upon the part of the Chinese, under the circumstance of our own entire change of system, is so obvious, and the mischief already created and impending so extensive, that I am relieved from any necessity of troubling your Lordship at length upon those topics.

The mode of effecting some suitable modification, is a subject claiming attentive inquiry, and I trust I shall be excused for submitting my thoughts upon that point.

In my own judgment, it would be best to confine the first proceedings upon the part of Her Majesty's Government in this case to a simple demand for the money due to British merchants, unaccompanied by any proposals or conditions on that or any other topic, and without specification of any period of time. This, I would submit, should be made at the point, and in the manner suggested in my Despatch of November 19, 1837.

It would no doubt be met by reference to former cases of bankruptcy; and then, it seems to me it should at once be declared, that the altered state of circumstances rendered previous arrangements, with respect to time, inapplicable, and impossible of admission; and that, if the Chinese Government were not prepared to assent to that doctrine, it would only remain for the Commissioner to abide where he was till he could receive further instructions from England.

I have submitted this course, my Lord, because I think it affords the best hope of peacefully and successfully carrying any effectual modification of the present condition of circumstances: a state of things, comprising not merely the grave difficulties which form the immediate ground for this Despatch, but others of a much more critical character, exposing this commerce to imminent risks of disastrous interruption, that may probably need extensive and hazardous interference at no distant date.

On the present occasion I would submit that we should place ourselves in a position from which they will be exceedingly anxious peaceably to induce us to remove; and violent efforts to dislodge a Commissioner from the British Crown, till his just demands are satisfied, are most improbable of occurrence or might be justly resisted, if they were attempted.

When it is found that this Officer courteously declines continued negociation, (till further instructions can arrive from England,) immediately that the first

main

main point is negatived, and when it is observed that he is calmly and contentedly preparing himself for a sojourn of many months' duration on the coast; I am without doubt, that such a prospect would move the Chinese Government out of its own impracticable humour, into one of a more complying description.

To every attempt of the Chinese Officers to draw from our own some proposal or scheme of adjustment leading to the departure of the ships, I would respectfully submit he should be instructed to reply, that he came there to demand the just debts of the British merchants; that it remained for these Honorable Officers to explain when and how they should be paid; that as soon as they would make any proposals on those points, which it consisted with his duty to accept, he would not fail to acknowledge the communication in suitable terms; that his business was to listen deferentially to what was signified to him, not to submit propositions to the Court of China; and finally, till any arrangements were suggested, to which he had authority to accede, that silence upon his part would be the surest mode of avoiding misconception and irritation.

As soon as the Commissioner had succeeded in drawing from the Chinese such a proposal for the adjustment of these claims, as Her Majesty's Government may direct him to accept, but not before; I think it would conduce to the best consequence if he were ordered to put forward a statement to the following effect.

That whilst Her Majesty's Government had no pretension to dictate any modification of system to this Empire, it was strongly felt that the present regulations were inadequate to the altered state of things on our side; that there was too much reason to believe grievances of the present nature must be constantly recurring, that there were no means afforded to the Officer at Canton to draw these under His Imperial Majesty's gracious consideration, that the distance to our own country was long, that it could not be hoped distressed and impatient men would always refrain from making hazardous attempts to press their complaints, just and unjust, on the Court at Peking, till they could either be rejected or submitted by Her Majesty's commands in a sure manner, and with due regard to the Imperial dignity; and lastly, that these and many other urgent considerations, had led to the determination the Commissioner should remain on the spot to maintain secure and becoming public communications, and to prevent serious cause of dispute between the two nations.

Whilst things remained in their present footing, it might be reasoned in conclusion, His Imperial Majesty would desire that the benefit of his gracious dispositions, and when matters were so disposed that these objects and the preservation of a good understanding could be otherwise secured, the Commissioner was instructed to return to his own country.

I abstain from adverting to the schemes of modification suggested in Mr. Inglis's paper, or indeed in any other I have ever chanced to see on the same subject; because, I am afraid it will always be enough to ensure the defeat of any proposal, that it comes from our side.

We are quite unable, my Lord, to estimate the force of those various topics, arising, as well from policy as a rooted and extravagant sense of highest human supremacy, which have always influenced this Government in its policy with respect to the European powers. And it really seems to be next to impossible that the Emperor should ever be peaceably induced to accept a string of propositions coming from our side; at all events, till other circumstances have vastly changed the nature of our relations with this empire. Indeed, I believe it is no exaggeration to say, that they would rather we should take much more than is ever likely to be asked (wholly unsought of them), than yield anything whatever to our formal demands.

But with this intense eagerness to save the appearance of dignity, at almost any risk, there certainly subsists an anxious desire to avoid hazardous disputes with the European Governments; above all, with that of Her Majesty

All these considerations, my Lord, (and I am afraid they have been very imperfectly expressed), lead me to the conclusion that, to shape our course, and systematically to persevere in it, in such a way as will cast the undivided task of proposition on the Chinese Government, is a policy which is deserving of your Lordship's attention.

There is strong reason to support the hope that they would propose the removal of a distasteful and disquieting state of things with Her Majesty's Government, by the offer of more extensive modifications than any that have ever yet been contemplated.

I have, &c.,
CHARLES ELLIOT.
Chief Superintendent.

No. 119.

Captain Elliot to Viscount Palmerston.—(*Received December* 1, 1838.)

My Lord, *Macao, April* 18, 1838.

I HAVE the honour to lay before your Lordship a copy of certain regulations, which I found it necessary to establish at the commencement of the closing busy season, for the better preservation of the peace on board the British shipping at Whampoa. I have refrained from doing so till the end of the season, in order that I might be able to report how far they have fulfilled the purpose in view.

The immediate circumstance which led to this measure was a dangerous disturbance on board the ship *Abercromby Robertson*, at Whampoa, in the end of the month of September last, in which the Commander and officers had been obliged to arm themselves for their own protection, and for the suppression of the disorder.

An officer was immediately dispatched to me at Canton, to report the state of the ship, and to request I would furnish my assistance in the restoration of a state of due subordination.

On my arrival, I found that the disturbance had arisen in the following manner:—A seaman had been adjudged, for some misconduct, to receive two dozen lashes, by a species of Court of Inquiry, held upon him by the order of the Commander—a mode of proceeding that seems to have been usual in the Company's late Maritime Service, to which the Ship and the Captain formerly belonged.

When the man was seized up, the crew had rushed in and forcibly rescued him; and the Commander informed me, that although he felt he could have defeated the attempt, still it could not have been done without bloodshed; and as I was at Canton at the time, he preferred to leave things in their present condition, and to report the facts for my future disposal.

Having examined the papers, and satisfied myself of the misconduct of the man, I felt that it was immediately necessary to assert the authority of the Commander over a crew consisting of about a hundred people; and I therefore desired the sailor to submit himself to the punishment which had been ordered.

He took refuge amongst the crew, but I followed him, and having taken him out from amongst them, caused him to be seized up.

I then explained to the seamen, that a combined and violent effort to resist the authority of the Commander was a felonious offence; that they were labouring under a dangerous misconception, in believing they were justified in such proceedings by reason of his ordering the infliction of corporal punishment, or upon any other pretext, and that their single lawful mode of redress, in the case of illegal or excessive punishment, was to be sought in the courts of justice.

The measure I had adopted, and this representation, had the effect of subduing the bad spirit of the people, and drawing from them proper expressions of regret for their misconduct. I gladly availed myself of such a reason, for casting off the seaman without the infliction of the punishment; and after some further exhortation, I had the satisfaction of leaving the ship in a state of perfect quiet and subordination, in which she continued during her further stay in this country.

Most

Most serious disturbances, however, had been frequent on this point; and therefore, on my return to Canton, I drew up the accompanying Memorandum, furnishing it to the Commanders of Ships as they arrived, in order that it might be read, in the event of need.

Your Lordship is aware, that the Ships in the Country Service are manned by Lascars, with whose language and customs the Commanders of Ships in the Home Trade have no familiarity; and this was the reason which led me to appoint the Senior Commander in the Country Service to superintend the general police of that portion of the fleet at Whampoa.

The Inclosure No. 3 is the copy of a letter I addressed to the Senior Commander at Whampoa, requesting him to bear in mind that it was only intended he should interpose, when invited, for the preservation of the peace. I took this precaution, in order that there might be no unnecessary interference on his part, in the management of the Ships' Companies, by their respective Commanders.

The Inclosures Nos. 4 and 5 explain the single case of disorder, and the proceedings taken upon it (except the one already mentioned), which has occurred during this season; so that I may now satisfactorily report to your Lordship, that these arrangements have been attended with the best effects.

I trust it will be considered, that I was justified in taking the particular occasion in question to establish these regulations. Every season since the opening of the trade had been marked by constant scenes of disgraceful and dangerous riot at Whampoa, and my own personal attention could not at all times be given without public inconvenience.

One of the gentlemen who had filled the station of Senior Commander at Whampoa, represented to me, in a private shape, that in the Company's time the Senior Commander received a sum of £500 each season, as a compensation for the performance of duties of this description, which he justly remarked were both responsible and disagreeable.

I replied, that I need hardly tell him I had no authority to make any allowance at all upon such grounds, beyond the mere payment of expense actually incurred; and that it was to be considered that the connexion between the Company and their Commanders was strictly one of master and servant, so that the sum of £500 was given as a general remuneration, not for any particular service.

No relation of the kind existed between Her Majesty's officers here and the Commanders of ships visiting China, and it would be remembered that, according to our law and customs, station devolved many unpaid duties on individuals, more particularly duties having in view the preservation of the public peace.

I remarked at the same time that I would move your Lordship to authorize the payment of some honorary remuneration to the gentlemen upon whom this task devolved: that is to say, if the present arrangements were to subsist.

May I, therefore, respectfully submit for your Lordship's favourable consideration that a sum not exceeding two dollars per diem should be paid by this establishment to each of the Senior Commanders, having European and Lascar crews, for every day that there are more than six ships of each class in Whampoa Reach.

I think the allowance would be productive of considerable public usefulness, both in giving to the whole arrangement a more formal character, and in insuring a zealous performance of the duties it imposes. The expense would be trifling. For six months of the year Whampoa Reach is almost entirely clear of British shipping.

I have, &c.
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 119.

Regulations for the more Effectual Preservation of the Peace on board the British Shipping at Whampoa.

Canton, September 29, 1837.

WITH a view to the more effectual preservation of the peace on board the British shipping at Whampoa, the following regulations are established and promulgated.

1. The senior commander in the Company's late maritime service, at anchor, or hereafter arriving in the reach, is requested to hoist a red pendant at the main, and to consider himself generally charged with the duty of checking any riot or insubordination which may break out on board any British ship, having a European crew.

2. All British subjects in the reach are hereby required to respect the authority of this officer, in his magisterial capacity, or, in his absence, the authority of the commanding officer of his ship, acting in his place.

3. Instructions will be furnished to the senior officer, from time to time, under the hand of the Chief Superintendent, for his more particular guidance.

4. It is requested that a book may be kept on board the senior officer's ship, containing all memoranda issued by the Chief Superintendent or himself, concerning the general preservation of good order on board the British shipping at Whampoa.

5. Commanders, or commanding officers of the British ships at Whampoa, having European crews, whose people are in a state of disorder, which it may not be pracicable otherwise to repress, to apply to the senior officer for assistance, by signal (if need be) of an ensign at the fore in the day time, or two lights, vertical, at night.

6. Commanders, or commanding officers of ships, to receive and detain in safe custody, on board their respective ships, the persons of any seamen of other ships committed as prisoners for disorderly conduct, under the hand of the senior commander, or, in his absence, the commanding officer of his ship.

7. The sum of 1*s.* 6*d.* per diem, to be checked from the wages of such prisoners, and to be paid to the commanders of ships on board which they are confined, to defray the expense of their maintenance.

8. Commanders, or commanding officers of ships, whose men are in confinement, under warrant, are at liberty to hire an equal number of Coolies, for the service of the ship, charging the expense to the wages of the prisoners.

Concerning British Ships in the Country Service.

THE senior commander of the ships in the country service, at anchor in the reach, or hereafter arriving, is requested to hoist a white bergee with St. George's Cross, at the main, and to conduct the like duties with respect to the ships in the country service, which have hereinbefore been devolved upon the senior commander in the Company's late maritime service, with respect to ships having European crews.

In the event of any accident, from fire or other cause, needing the general co-operation of the British shipping, the senior commander of the two ships bearing pendants, to take command of the whole (or, in his absence, the commanding officer of that ship) and to adopt such measures for the general safety as may seem best to his judgment.

By order of the Chief Superintendent,

(Signed) EDWARD ELMSLIE,
Secretary and Treasurer.

Inclosure 2 in No. 119.

Memorandum.

Canton, September 29, 1837.

GREAT disorder having taken place several times on board British ships in China, arising from an impression upon the part of the seamen that corporal punishment cannot legally be inflicted under the authority of their commanders, the Chief Superintendent finds it incumbent upon himself to disabuse the crews of this dangerous misconception.

It has repeatedly been determined in the Admiralty and other courts that, according to the law of England, the commanders of merchant-ships have a full legal right to maintain a state of due subordination on board the ships by any punishment, corporal or otherwise, not at variance with the customs of the British sea-service.

The remedy of the seamen in case of unjust or excessive punishment is to be sought in the courts of the country: and a most effectual remedy this course has always afforded them, for the courts lean ever to their side, preferring, in a wise spirit of humanity, to encourage peaceful and lawful complaint in those places to violent and lawless resistance on board the ships.

It may not be amiss to say a few words of the principles which should guide commanders in any painful emergency needing the infliction of punishment, and it seems right to add that they are deduced from the decisions of courts of justice upon this particular subject:—

First, and principally, does it behove commanders to take most especial care that every punishment be as moderate as the strict necessities of the case may demand.

Secondly. In all cases which admit of the delay proper for inquiry, the party charged should have the benefit of a full investigation by impartial persons; and, above all, of being fairly heard in his own defence.

In the actual condition of circumstances in this country where appeal to a British magistrate is practicable, it would be a humane and a prudent, if not a rigidly necessary precaution, to seek his sanction before the infliction of corporal punishment.

With reference, however, to this rule, the Chief Superintendent regrets to be obliged to observe that there are cases which, in the language of a late most eminent judge of the Admiralty Court, "neither require nor admit of such a deliberate mode of procedure."

"Such cases," says the learned judge, "when the criminal facts expose themselves to general notoriety by the public manner in which they are committed, or when the necessity occurs of immediately opposing attempted acts of violence by a prompt reaction of lawful force, as in the disorders of a commencing mutiny. These are cases that speak for themselves, and are of unavoidable dispensation."

The Chief Superintendent must now warn the seamen that any persons contumaciously, or forcibly, hindering the commanders in the infliction of corporal punishment, are guilty of felonious offence.

Good seamen are perfectly sensible that it is necessary for the protection of life and property to maintain a state of due subordination on board the ships, and it will usually be found that the practisers of disorder are for the most part not sailors at all.

But the Chief Superintendent has spent the greater part of his life in the sea-service, and whilst he makes this remark, he must not forget to add that the most necessary condition of upholding a state of good order is to take care that the complaints of seamen, peacefully preferred to their commanders, are heedfully considered, and promptly and justly redressed.

The Chief Superintendent will close this memorandum by observing, that as upon the one hand it is his duty to support the commanders in the preservation of discipline, so upon the other will he always use every public effort in his power to secure to the seamen a full and just enjoyment of that protection which the laws afford them.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 3 in No. 119.

Captain Elliot to Captain Gribble.

Sir, *Macao, December* 19, 1837.

UNDERSTANDING that you are the senior officer at Whampoa of the Honorable Company's late maritime service, I will beg you to afford your counsel and assistance to the commanding officers of any British vessel at that place having an European crew, who may apply to you under circumstances of difficulty.

And being thus invited, you may be assured that I shall not decline the responsibility of any proceedings taken under your authority, which may be necessary for the preservation of the peace on board the British ships at Whampoa, having European crews.

I am persuaded that the commanders of all British ships at that anchorage, so manned, will zealously second your efforts, whenever you may find it needful to request their co-operation.

May I beg you to circulate this letter through the British ships of the fleet, having European crews.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 4 in No. 119.

Captain Gribble to Captain Elliot.

Sir, *Canton, January* 13, 1838.

I BEG to inform you that on Tuesday evening, the 9th instant, Captain Hamilton, of the barque *Anna Robertson,* sent to the *Marquess of Camden* for assistance to suppress a mutiny amongst his crew.

I repaired on board with my chief officer, and found Captain Hamilton standing with his officers in a defensive position, with arms in their hands, having brought one man aft, and endeavouring to bring another, the crew having retreated to the forecastle and making a great noise. I inquired into the circumstances, which were as follows:—" Two men were fighting, and Captain Hamilton endeavoured to separate them, they refused to be quiet, and one man came aft, followed by the remainder, and seized Captain Hamilton by the breast; the chief mate endeavouring to rescue him, was struck in the face, the man using the most gross and abusive language. The officers succeeded in dragging him on the poop, when another, on being repulsed in attempting to release the former from the poop, seized a handspike, and put himself in a threatening position. Captain Hamilton then seized him, and in bringing him aft, the crew rescued him, and they all went below." I immediately advised that this man should be confined with the other in irons. This was done, and as the officer appeared to be fully capable of carrying it into effect, I suggested that a court of inquiry should be held in the morning. The following morning I repaired on board, and requested Captain Hamilton to give me a letter, stating that he had not enough officers to compose a court, upon which, with my chief officer and the chief officer of the ship, I proceeded to try them. The case was too glaring to admit a doubt, and after a fair and impartial hearing on both sides, and receiving evidence of a gentleman who was casually on board, I sentenced them to be punished,—the first prisoner with four, and the second with three, dozen lashes. Upon inquiry Captain Hamilton informed me that he could punish them without further assistance, and the orders and regulalations were read by me to the crew. The punishment inflicted was two dozen each. The crew have returned quietly to their duty.

I regret that such strong measures were forced upon us, but the gross abusive and personal attacks of these miscreants required punishment. The appointment of a senior officer has been attended with a good effect in another instance.

instance. The crew of the *Isabel* refused their duty, the captain immediately ordered the union jack (my private signal,) to be bent on the peak, and having explained the consequences, they instantly returned to their work. The particulars of the court of inquiry shall be prepared and forwarded to you at Macao.

I have, &c.,
(Signed) HENRY GRIBBLE.

Inclosure 5 in No. 119.

Captain Elliot to Captain Gribble.

Sir, *Macao, January* 20, 1838.

I HAVE the honour to acknowledge your letter of the 13th instant.

The proceedings you found it necessary to adopt on board the ship *Anna Robertson*, on the 19th instant, have my entire concurrence, and I beg you to accept my thanks for your prompt and judicious interference on that occasion.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 120.

Captain Elliot to Viscount Palmerston—(*Received December* 1, 1838.)

My Lord, *Macao, April* 20, 1838.

IN the course of the last two months the number of English boats employed in the illicit traffic between Lintin and Canton has vastly increased, and the deliveries of opium have frequently been accompanied by conflict of fire-arms between those vessels and the Government preventive craft.

It is plain that British subjects and property engaged in these pursuits are within the easy grasp of the Provincial Authorities whenever it may suit their purposes, or they may be driven by the Court to act with vigour.

In the Edicts forwarded to your Lordship in my Despatch, of Nov. 18, 1837, the Governor had already charged me with countenancing the outside trade; and in the event of disaster, there can be no doubt he would immediately attempt to connect the growth of these last irregularities with my own departure from Canton.

With the purpose of being prepared for such devices, I drew up the paper forming the Inclosure of this Despatch: and I directed Mr. Morrison, as soon as the Governor should return from his official tour, (which he did about a fortnight since), to show it to Howqua, and to tell him that these were my opinions on my present position with the Provincial Government; that he was at liberty to exhibit them to the Governor if he thought fit, and indeed that I was only prevented from making them known to his Excellency in a formal manner by the interruption of the public communications.

The paper was returned to me two days since by Mr. Morrison, with a message from Howqua, to the effect that the Governor had seen it, but could not accede to the arrangement suggested.

I was sensible that the present state of things at Canton could only subsist as long as the Governor could venture to appropriate a large share of the bribes, by which the system is upheld; and therefore I looked for no other result at his hands.

It was impossible to foresee how soon his position in that respect might be changed by the wavering policy of the Court, or by the pressure of those just charges of venality to which he is exposed: but looking around, I felt it became me to take every precaution, consistent with my situation, for shielding myself as

Her Majesty's officer from any imputation that the actual proceedings at Canton had my countenance, or were produced by my movements.

Should any serious disaster ensue, threatening the lives of Her Majesty's subjects engaged in these pursuits, (and in my own judgment this result is perfectly probable,) I shall not fail to found the strongest remonstrances against such extreme measures upon the Governor's rejection of these last proposals.

That circumstance would fully justify a representation to the Court, that the irregularities leading to the mischief were the consequence of his Excellency's manifest and disgraceful corruption; and that, therefore, he alone was responsible for all those evils which might have been prevented if he had been honest enough to do his own duty, or to permit me to do mine.

Connected with this subject, it is necessary I should report to your Lordship a striking and painful event which has just taken place at Macao.

About a week since, an unfortunate Chinese was executed immediately without the walls of this town by strangulation; as the sentence inscribed over him bore, for traitorous intercourse with foreigners, and for smuggling opium and Sycee silver.

This is the first proceeding of this nature which has been taken by the Chinese Government in this part of the empire.

The place of execution (quite unusual), and indeed the terms of the sentence, plainly indicate that it was adopted mainly with a view to the intimidation, and for an example to the foreigners.

It is also stated (and probably with truth) that this execution, and the manner of it, were by the special command of the Court. But be that as it may, with the prisons full of persons charged with similar offences, and with public executions for them, it is not to be supposed that the Provincial Government can venture much longer to permit the delivery of opium out of British armed-boats, almost under the walls of the Governor's palace at Canton: neither is it likely that they will succeed in driving them out without bloodshed.

Even putting all higher considerations out of view, I must remark that this last seems to me to be a very unfortunate turn for such a trade to have taken. That it is advantageous to the individuals immediately concerned in such a channel there can be no doubt, but it is at the same time a state of circumstances which must necessarily, sooner or later, force itself under the active treatment of the Chinese Government. And whenever that result does take place, it cannot fail to be extensively mischievous to the whole traffic.

I take the liberty to observe to your Lordship that I never advert to this subject without extreme reluctance; but it is daily assuming so very serious an aspect, and connecting itself so intimately and so unfortunately with our regular trade and intercourse with this empire, that I feel it is my duty to keep Her Majesty's Government informed of the general course of events in relation to it.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure in No. 120.

Macao, March 17, 1838.

THESE are the thoughts of Elliot, the English officer, concerning his actual situation with the Government of these Provinces.

To his own country the distance is great, and many months must elapse before instructions can arrive for his public guidance.

He fears that the absence of responsible authority over his countrymen for so long a period may produce dangerous and deeply-rooted irregularity leading to violent modes of remedy: and in such proceedings it is to be apprehended innocent men might suffer to the great risk of the maintenance of peace between the two countries.

Thus seriously impressed, Elliot has faithfully and earnestly examined his instructions with the hope they may leave open some means of re-establishing his communications with the Provincial Government, not at variance with the customs of this empire, or with the commands of his own Sovereign.

His

His Excellency the Governor, a high and wise officer, has been pleased to signify through the merchants, that it is contrary to established usage that officers of his rank should address their communications to his Excellency under any other character than "*Pin.*" Elliot is of opinion that this fact should be formally communicated to him for the information of the Government of his nation, but as yet that has not been done.

It is therefore to be wished that his Excellency would command the Kwang Chow Foo and the Kwang Chow Heep to take a copy of his pleasure, and forward it direct to Elliot, setting forth the custom that native officers of the fourth rank always address his Excellency under that character.

Thus will Elliot be enabled to lay this matter perspicuously before his own Government, and erroneous statements upon a point of moment to the maintenance of a good understanding will be avoided.

Till further Instructions can arrive from England, after this declaration of his Excellency shall be known, perhaps it may not be difficult to permit Elliot to send his sealed communications addressed to the Kwang Chow Foo, and the Kwang Chow Heep; by those honourable officers to be opened and laid before his Excellency. And in like manner his Excellency, when he thinks fit to communicate his pleasure to Elliot, either in reply or otherwise, may submit his commands to the before-mentioned honourable officers, to be by them copied and transmitted to Elliot.

Between these honourable officers and Elliot there need be no superscription on the addresses except the names and titles of each officer; because it is recorded in a memorial to His Imperial Majesty that Elliot also is an officer of the fourth rank in his own nation.

In this manner will he be in a condition to return forthwith to Canton, and resume the performance of his duties, of which there is urgent need.

And thus will it be seen by the Government of his nation that the sentiments of his Excellency are in accordance with those principles of high wisdom which are the characteristics of the Emperor.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 121.

Captain Elliot to Viscount Palmerston.—(Received December 1, 1838.)

My Lord, *Macao, April* 28, 1838.

I HAVE the honour to inclose the continuation of the correspondence which has passed between the creditors, the Provincial Government, and the Hong merchants, upon the subject of the Hing-tae bankruptcy, since the transmission of my Despatch of the 29th of March last.

The Inclosure No. 1, is a letter from the Hong merchants to the creditors, dated on the 4th instant. I believe there is no exaggeration in this account of the extortions to which they are liable: and it is certain that they have understated their present enfeebled condition. This paper will form No. 26 of the whole series of correspondence.

The Inclosure No. 2, is a separate address to the Governor of Canton by the British firm of Jardine, Matheson, and Co. This paper has not been forwarded to me officially; but it is necessary that it should be laid before your Lordship, because the Governor notices, and acknowledges it in his general reply to the creditors (No. 4 of this Despatch). This address will form No. 27 of the whole series.

The Inclosure No. 3, is a separate address from the British firm of Turner and Co., and is transmitted for the same reason as No. 2. It will form No. 28 of the whole series.

The Inclosure No. 4, is the reply of the Governor of Canton to the address of the creditors (No. 25 of the series), as well to the above separate addresses of Messrs. Jardine, Matheson, and Co., and Messrs. Turner and Co. It will form No. 29 of the whole series.

I am without any hope, my Lord, of a reasonable adjustment of these claims

by the order of the Provincial Government; and the necessity of establishing sure means of communication with the Court through some nearer and less interested medium than that of the Governor of Canton, is forcibly manifested in the reply he has now ventured to make to these creditors.

A different spirit will exist when the Provincial Authorities are made sensible that just causes of complaint against them can and will always be pressed upon the Imperial attention by the official agents of Her Majesty's Government.

I have, &c.,
(signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 121.

The Hong Merchants to the Creditors of Hing-tae Hong.

A respectful communication. *April* 4, 1838.

THE foreign debts of Hingtae Hong we before resolved to pay in nine years, by instalments; but to this arrangement, you, Gentlemen, have not yet assented. Yet the period of nine years seems to us even too short; and we are not without fear that we shall be unable to repay the whole in the time stipulated. We call to mind that of public claims upon us the amount from year to year is not less than 300,000 taels, consisting in tribute, charges for the military expenses of the new territory, (in Tartary,) subsidies for repairs of forts, and purchases of ginseng. We have also to pay up the public claims on Fatqua's Hong, amounting to more than 300,000 taels, and those on the Hingtae Hong to the amount of 100,000 taels and upwards. Moreover each Hong has foreign debts of its own to discharge. Thus in every direction we have payments to make. And besides all this, Kingqua's Hong is now in arrear of the public claims on it to the extent of 300,000 taels, while the foreign claims against it exceed a million. This Hong, although, we are thankful to observe, it is your wish to keep it from bankruptcy, yet will not, we are disposed to think, be able to sustain these payments, and it will be requisite for us to make other arrangements therefore.

Of the profit gleaned by us in the course of a year or two, though it yield after payment of the various public claims, a small remainder, yet something is absolutely requisite for hire of labour, repairs, salaries, and ordinary expenses. And with your perfect understanding of matters, and good sense, you must perceive, Gentlemen, on a careful consideration of the subject, that if the time stipulated for payment of Hingtae's debts be too brief, it will be in truth beyond our power to adhere to it. Should we be able to pay the debts of another, then our own debts must remain unpaid, and we must all in consequence successively be ruined and fail. With your known intelligence it would be difficult herein to deceive you.

Even for the duties that are in arrear, and which are not on the same footing with private debts, we have been compelled to solicit the Imperial favour to extend the limited period of payment to three years, and suffer us to pay them by instalments. How much rather, then, should the individual debts which we are discharging for others be so dealt with! We still entreat you, Gentlemen, to assent to the period of nine years, that we may put forth our energies to sustain the payment and to discharge the claims within the allotted period. Thus all may remain at ease, and we enjoy your highly prized friendship. For this purpose we write, and with compliments,

We remain, &c.

3d Month, 10th day (4th April, 1838.)

True Translation.
(signed) J. ROBT. MORRISON,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 121.

Messrs. Jardine, Matheson, & Co., to the Governor of Canton.

Canton, March 21, 1838.

IT is with extreme reluctance we again trouble your Excellency with the affairs of the Hingtae Hong; but having waited in vain for upwards of two months, in expectation of a reasonable proposal from the Hong merchants for the liquidation of the said debts, in pursuance of the order issued by your Excellency on the 6th day of January last, [11th day of the 12th moon,] we can no longer delay bringing to your Excellency's notice, that on the 20th day of January we received an assurance from the senior Hong merchants, Howqua and others, that our claims should have their particular attention in the course of the first month of the Chinese year; but up to this hour nothing has been done.

On the 26th of this moon, we addressed the inclosed letter to Howqua and the other members of the Cohong, from which, and his reply, it appears that the foreign merchants have in the last four years paid upwards of 1,500,000 dollars to the Hong-yung fund without drawing from the said fund one dollar! And now when the Hingtae Hong, by an act of swindling, retains foreign property to upwards of two millions of dollars, they, the Cohong, propose paying the sum back without interest in nine years.

The proposal is so manifestly unjust, that we bring it once more to your Excellency's notice, in full confidence that orders for a more equitable settlement will emanate from your Excellency's sense of justice, and save yourself and us the trouble of further appeal. With this view we address your Excellency, and remain, &c.

(Signed) JARDINE, MATHESON, & CO.

Sub-inclosure in Inclosure No. 2.

To Howqua, Senior Hong Merchant, and the other Members of the Co-hong.

Dear Sirs,

I WAS favoured on the 13th ultimo, with your letter of the 12th, proposing to liquidate the debts of the Hingtae Hong, by instalments, in nine years, and requesting me to communicate the same to the other creditors.

This communication was made accordingly, and their unanimous refusal to accept such unreasonable and unjust terms was made known to you by Mr. Turner and myself, early in this month; but having heard nothing from you or the Consoo since, I shall now reply to your letter in writing.

The Creditors have attentively examined, and duly weighed, the arguments advanced by the Cohong; and I beg leave to trouble you with a few observations thereon.

Your statement of the debts due by the two Hongs of Gowqua and Pongqua, 1,400,000 taels, or 1,944,444 dollars, paid in ten years, from the limited foreign trade of that period, is liberal in the extreme, when compared with your offer to pay the claims against the Hingtae Hong, 2,261,439 dollars, in nine years, from a trade of nearly double the amount.

In the course of six years, the debts of Manhop and Chungqua were paid, from the proceeds of tea, out of the Company's treasury, between the years 1829 and 1834, amounting to 1,995,300 dollars, when the quantity of that article annually sent to England was only 30,000,000 of pounds; and the same contributions which enabled the Cohong to pay annually 378,434 dollars for the three last years have been paid by the foreign merchants to the Consoo fund or Hong yung, ever since, that is for four years, or upwards of 40,000,000 per annum, without one dollar having been claimed by them from the said fund. And still, the Cohong propose paying the claims now made in nine years, after having already received more than three-fifths of the whole sum claimed, 1,513,136 dollars. Is this reasonable or just? It is well known that the foreign claims have on all occasions and at all times, been paid by this Hong yung tax on the

foreign trade, a tax instituted for the express purpose, and which ought to have ceased being levied the moment there were no foreign debts to be paid off. In fact, the Cohong must have gained rather than lost by the payment of the foreign claims from means so abundantly ample.

I have, &c.,
(Signed) W. JARDINE.

Inclosure 3 in No. 121.

Messrs. Turner & Co., to the Governor of Canton.

A respectful Address.

WE received so long ago as the 8th of January, your Excellency's reply to our former petition, and should have considered it necessary to answer it much earlier, but for the solemn pledge made to us by the senior Hong merchants, that a satisfactory settlement with Hingtae's creditors should be come to in course of the 1st moon of the present year. Resting upon this pledge being faithfully redeemed, we were in hopes that there would no longer be any necessity for troubling your Excellency.

It is, therefore, with extreme regret that we now find the necessity returned upon us of appealing to your Excellency, and that, too, with feelings of the keenest disappointment to complain, not only of the pledge so solemnly given not having been redeemed, but of the day seeming to be as far distant as ever for settling our very heavy and long-pending claims.

Your Excellency, in replying to our last petition, states, that the Hong merchants had of themselves proposed to liquidate the debts of the Hingtae Hong in fifteen years; but that your Excellency considering that period too long, had directed them to reduce it to twelve years.

Upon this we beg to remark, that, had your Excellency's reduction of three years brought the time of payment within seven years from the period of the Hong's stopping, we should have felt disposed to accede to it, but when the magnitude of the amount is considered, and how greatly the want of so large a portion of their capital must cramp the trade of the several creditors, and also what heavy pecuniary loss they are suffering by no interest whatever being allowed them; when this combination of evils is considered, your Excellency will not be surprised to learn, that our determination is, not to cease appealing to your Excellency's sense of justice until a more equitable period be named.

And as the Hong merchants have of themselves recently proposed to reduce your Excellency's period of twelve to ten years, your Excellency cannot but perceive in such a proposition, an admission, on their part, of the unreasonableness of their first offer, and that they only wait the further commands of your Excellency to agree to a more just settlement.

To convince your Excellency of the unanswerable reasonableness of our proposal, we have only to lay before you the following facts:—

First—That from the year 1829 to the year 1834, the Cohong paid the following amount of debts, owing by insolvent Hongs, viz.:

Debts to foreigners - - - - -	2,226,767 dollars.
Duties - - - - - - - -	488,619
Making in all - - - - - -	2,715,386

Paid in the space of five years, being at the rate of 543,077 dollars per annum, being more than sufficient to pay off, in a much shorter period, the amount due from Hingtae, supposing no interest to be paid thereon.

Secondly—That from the early part of 1834, until the present date, no claim whatever has been made by foreigners upon the Cohong, though the foreign trade has regularly contributed the regular Hong yung tax for the purpose of liquidating foreign debts. And,

Thirdly—To which we particularly beg to call your Excellency's attention, the trade of this port, both of imports and exports, has increased fully one third, and that too, on articles, the Consoo duties on which press most heavily. In illustration of this most important fact, we beg to refer your Excellency to the statement at foot. With

With such an accumulation of facts in our favour, what reasonable objections can the Cohong raise to our most equitable, and for our own welfare, far too indulgent proposal? Your Excellency will surely not allow poverty to be pleaded, when so large sums have been levied within these four years for the Consoo fund, a fund established expressly for paying the debts of bankrupt Hongs, and upon which no claim whatever has been made by foreigners during the whole of that period! Your Excellency is besides well aware, that we look not to the Hong merchants for satisfaction of these claims, but to the Imperial Government itself. It is the fixed notorious law of the empire, and upon the good faith of which the British nation has for so long a period traded with it, that the Imperial Government holds itself responsible for the just debts of its subjects. We cannot but regret the annoyance your Excellency complains of from these our frequent remonstrances, and earnestly entreat your Excellency at once to put an end to them by directing an early settlement of our just demands.

We have, &c.,
(Signed) TURNER and CO.

Appended.

Comparative statement of Tea and Silk Exports and Cotton Imports, in the years 1832, 1833, 1834, 1835, 1836, and 1837.

Teas in 1832	347,318		
„ 1833	355,191		
„ 1834	401,750		
		1,104,259	
„ 1835	484,340		
„ 1836	468,066		
„ 1837	544,119		
		1,496,525	
Increase		392,266	Peculs.
Silk in 1832	6,283		
„ 1833	4,436		
„ 1834	8,061		
		18,780	
„ 1835	9,000		
„ 1836	9,223		
„ 1837	10,762		
		28,985	
Increase		10,205	Bales.
Cotton in 1832	449,068		
„ 1833	417,398		
„ 1834	442,640		
		1,309,106	
„ 1835	630,746		
„ 1836	506,117		
„ 1837	642,372		
		1,779,235	
Increase		470,129	Peculs.

Inclosure 4 in No. 121.

The Governor of Canton to the Hong Merchants.

ON the 8th of April I received, from Dent and others (creditors of Hingtae), an Address, as subjoined; and also like addresses from Jardine and Turner.

[*Here follow the three Addresses in full.*]

These coming before me, the Governor, I have fully investigated the subject. Yen Kechang and his associates, merchants of the Hingtae Hong, having managed their affairs badly, and fallen in debt to the foreign merchants, these, seeing their difficult position and urgent necessities, and the impossibility of their at once paying off their old debts, conceived the idea of taking advantage of these circumstances to scrape and peel them, and gave them goods at an enhanced price, compelling them to receive the same. In this way, after the accumulation of months and years, the debts reached the large amount of two millions of money. It is thus certain, that these merchants brought on their trouble themselves, and also that the origin of the whole is to be found in the secret plundering exercised by the foreign merchants and their large risking speculations. I the Governor, in humble deference to the extreme goodness cherished by the great Emperor, and his tenderness towards foreigners, made no inquiry into the conduct of these foreign merchants, but simply directed Yen Kechang and his associates to be apprehended and tried, and their property placed in secure keeping. I at the same time commanded the two bodies of merchants,—the Hong merchants and the foreigners,—to examine and ascertain in concert the real amount of the debts; and I laid my injunctions on the Hong merchants to determine in what portions, and within what period they would pay off the whole on behalf of Yen Kechang and his fellows. Thus I arranged that the money should certainly be recovered. Afterwards, on all the foreign merchants representing that the period of fifteen years was too protracted a one, I granted permission to reduce it to twelve years; within which period the whole of the debts should be discharged. In this, indeed, I have gone to the utmost degree of kindness, and the extreme verge of justice. The foreign merchants, though they have been born, and have grown up out of the pale of civilization, yet are all provided with innate consciousness of good. How greatly ought they to be roused by gratitude, to rest in a dutiful and implicit obedience. Yet hardly was the former decision declared, when now again these foreign merchants, Dent and others, and Jardine and Turner, scheming to gain a speedy settlement, oppose my decision, and bring their addresses separately before me. Such ill-considered and unreasonable expressions as are here found, whence can they have emanated, unless from persons of hearts and feelings alien from those of the rest of mankind?

As an instance of this, I take the Consoo charge, of which one address speaks. This is a charge which should go to reward the toil of the Hong merchant. I the Governor before made examination regarding it, and found that it had not been kept to accumulate from year to year. The Hong merchants, however, themselves addressed me, with a proposal for the future to pay the Consoo charge, as on former occasions, into the general chest, to enable them to meet the stipulated instalments of former debts. This cannot be called aught else than the utmost degree of honourableness. If it be said that the Consoo charge was instituted for the discharge of debts, let the foreign merchants ask themselves if, while trading in the Celestial Empire, they would wish to regard the profits which they enjoy, as profits obtained merely for the purpose of paying off debts? In regard to the consumption of goods referred to in Turner's address, in nothing is it more difficult to determine the amount. How can a comparison be instituted in this respect of one year with another? And amid the revolutions of trade, how shall it be ascertained that the prosperity which has preceded is not in itself the evidence of an approaching declension of trade? In the note, a copy of which Jardine has presented, I observe, however, the statement, that the Hong merchants have agreed to pay off the debt by instalments in nine years. If this be indeed the case, it is an act of liberality on the

part

part of the merchants, affording a more ready recovery of the money, to which there is no reason, my desire being to show kindness to the far-travelled, why I the Governor should not vouchsafe my sanction. I will therefore direct the Financial and Judicial Commissioners to assemble the Hong merchants, and on ascertaining if this is true or false, to determine once more upon a secure arrangement and report for my investigation.

Besides so doing, I issue also this order:—Upon its reaching the said senior Hong merchants, let them faithfully examine the subject, and at once report in answer. And at the same time let them enjoin my orders on the said foreign merchants, requiring their obedience thereof.

I the Governor have the rule over and administration of these provinces, and have to keep in tranquillity and subjection those both within and from without; yet I do not refuse, to the trivial and insignificant foreign debts, a full and perfect administration of justice, and a complete settlement of them. But the foreign merchants, Dent and those with him, utterly dead to a sense of my goodness, presume, in their address, to represent that they have requested their Government to move the Sovereign of their nation to send an officer from afar to discuss the matter, endeavouring thus to drive me to adopt measures. What perversity can exceed this mad and absurd barking? Let Dent and his fellows be most severely rebuked, and let them be commanded to imprint the laws upon their hearts, and constantly to adhere to them. The severity of the Celestial Empire, represented by the sword of the executioner, is awful! Beware not again rashly to adventure a trial of it! Oppose not these commands!

Taoukwang, 18th year, 3rd month, 17th day (11th April, 1838.)

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 122.

Captain Elliot to John Backhouse, Esq.

Sir, *Macao, April* 30, 1838.

THE List of the Debts due to Foreign Creditors by the Bankrupt, Hong Hing Tae, has not been officially transmitted to me.

But I have considered it my duty to procure an accurate Statement of them, which is herewith transmitted, together with an account of reductions on the original claims effected by the Committee of Investigation.

Of the whole liabilities of - - -	Dollars,	2,261,438 : 79
There is due to other Foreign Creditors -		82,052 : 32
Leaving a balance due to British Subjects, of -	Dollars,	2,179,386 : 47

I have, &c.
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure in No. 122.

A List and Amount of the Claims of the Foreign Creditors on the Bankrupt, Hong Hingtae.

		Dolls. Cents.
Jardine and Co., *a/c*	Captain Hine - - - - -	162,213.18
	Captain Grant - - - - -	64,494.16
	Dr. Cullen - - - - -	6,230.00
	English Constituents - - - -	604,661.48
	Indian Constituents - - - -	416,382.48
	Themselves - - - - -	904,367.58
		2,158,348.88

		Dolls. Cents.
Turner and Co.		202,750.48
Fox, Rawson, and Co.		76,681.16
Gibb, Livingston, and Co.		23,861.00
J. and W. Cragg and Co.		23,265.36
Dent and Co.		92,020.37
Russell and Co. (American)		60,013.87
Bell and Co.		3,851.57
J. R. Reeves		3,934.28
Eglinton, Maclean, and Co.		3,827.30
Wetmore and Co. (American)		18,623.95
Bovet (Swiss)		3,414.50
Daniell and Co.		49,552.02
Dirom and Co.		11,826.64
Tamooljee Rustomjee		1,239.99
H. and N. Cursetjee		1,257.00
		2,738,768.37
Reduced by the Committee.		
Jardine and Co.	432,543.08	
Turner and Co.	28,316.26	
Gibb and Co.	8,526.88	
Wetmore and Co. (American)	7,943.36	
		477,329.58
	D.	2,261,438.79

No. 123.

Captain Elliot to Viscount Palmerston.—(*Received October* 31, 1838.)

My Lord, *Macao, May* 31, 1838.

I HAVE the honour to acknowledge your Lordship's Despatch of November 2, 1837.

The interruption of the public communication still subsists; but your Lordship may assure yourself that there is no longer any serious obstacle in the way of its re-establishment on a direct footing.

The countenance afforded to me by the presence of the Rear-Admiral commanding-in-Chief, will probably enable me to carry the remaining points, soon after his arrival in these seas.

I have, &c.
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 124.

Captain Elliot to Viscount Palmerston.—(*Received February* 19, 1839.)

My Lord, *Macao, August* 7, 1838.

A SHIP upon the point of sailing to England, affords me an occasion to announce to your Lordship, in very brief terms, the extremely satisfactory conclusion of recent grave discussions with the Provincial Government.

The Rear-Admiral commanding-in-chief arrived on the 13th ult., and anchored in Toongkoo Bay, a retired position, where he studiously abstained from giving the authorities the least pretext for suspicions or contumelious treatment.

Pending negotiations, however, concerning the manner of my intercourse at Canton, to which place I had proceeded for the purpose of signifying to the Government the peaceful purposes of the Admiral's visit, the following incident occurred:—An English boat, during her passage through the Bocca Tigris on the 28th ult., was fired upon by the batteries and boarded; not, as the Chinese

officers

officers declared, upon any suspicion that she was smuggling; but upon the ground that the Admiral or some of his officers might be on board.

As soon as this fact was formally declared to me by a respectable gentleman on board, I proceeded to the Rear-Admiral, accompanied by my interpreter, Mr. Morrison, and submitted the circumstances to him.

Sir Frederick Maitland immediately determined that it became him calmly, but firmly, to demand explanations; and Her Majesty's ships *Wellesley*, *Larne*, and *Algerine*, were forthwith removed to the anchorage of Chuen-Pee, below the batteries at the Bocca Tigris.

Communications having been opened with the Chinese Admiral at that situation, commanding the land, as well as the sea forces, employed in the protection of this and the neighbouring Province of Fuhkeën, that officer was brought to consent that Mandarins should wait on Sir Frederick Maitland, on board the *Wellesley*, and disavow both the order to fire upon such grounds, or the least intention to offer any insult whatever.

This was accordingly done in a written shape by these funtionaries on board the *Wellesley* on the 5th instant, and after a mutual exchange of salutes and amicable explanations, the whole affair was concluded, and the Rear-Admiral repaired again to his original anchorage of Toongkoo Bay, from which place I have only just returned.

Particulars shall be forwarded to your Lordship by the first opportunity; but being apprehensive that disquieting and unfounded rumours may reach you by this occasion, I despatch these few hurried lines. And I trust that the necessity for haste, and several days of anxiety and absence of rest, will be my excuse for the incompleteness of the report.

A more entirely satisfactory result, considered in every point of view, both immediate and prospective, has never been accomplished in our negotiations with this Government. And I hope I shall not be considered presumptuous in expressing my respectful sense of the firm, but conciliatory spirit which the Rear-Admiral has displayed in the discharge of these difficult duties.

I have, &c.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 125.

Captain Elliot to Viscount Palmerston.—(Received February 14, 1839)

My Lord, *Macao, August* 10, 1838.

IN resuming the subject of my hurried despatch, of the 7th instant, I take the liberty to observe that I had delayed the acknowledgment of your Lordship's Despatch of November 2, 1837, till the arrival of the Rear-Admiral Commanding-in-Chief (which I had reason to expect from other sources of information,) should enable me to report any consequences that might result from that event.

Upon the 13th ult., Sir Frederick L. Maitland arrived off this place in Her Majesty's ship *Wellesley*, accompanied by Her Majesty's brig *Algerine*, and I immediately joined him in the cutter *Louisa*, and proceeded onwards with the ships to the anchorage of Tong Koo Bay, distant about seven leagues to the southward of the Bocca Tigris; a position which, besides its recommendations in point of safety and sufficient distance from the entrance of the river, has the advantage of being remote from the anchorage of the ships engaged in the illicit traffic.

On the day that I joined him, the Admiral placed in my hand the communication, of which I now transmit an Inclosure; and my reply to this, and the previous Despatch of the 21st April, is also now forwarded.

A few days after his Excellency's arrival, I received a communication from the Keun-Min-Foo, the district magistrate of this place, superscribed in the usual form; but as the inside bore the character "*Yu*," which signifies "A Command," I returned it to him unread, with a few lines to the effect that I should be glad to give it my attention as soon as this mistake were corrected.

The next approach was in the old form of an Edict from the Governor, addressed to the three senior Hong Merchants, and forwarded by them to me, through the hands of a linguist.

This document was returned unopened, with a message that my strict orders from Her Majesty's Government in this respect, had frequently been clearly and deferentially explained to the Governor, and that I could not deviate from them.

It is not to be doubted that the purport of these two communications was identical, namely, to desire that I would enjoin upon the Rear-Admiral the propriety of sailing away from the coasts of the Empire. I felt then that any protraction of the attempt to explain the peaceful object of his visit, might give some colour to the pretext that it was suspicious and dangerous, and lead (with the hope to draw it to a conclusion,) to a course of harassing measures, directed either against the trade, or against the social comforts of Her Majesty's subjects, by depriving them of their servants, and otherwise inconveniencing them.

Under this impression, and with Sir Frederick Maitland's concurrence, I proceeded to Canton on the 25th ultimo, and having hoisted the flag, forwarded to the city gates by the hands of Messrs. Morrison and Elmslie, an open paper for transmission to the Governor by a Mandarin. The paper was left open with the view to obviate the difficulty about the character "*Pin.*"

It was conveyed to the Governor by the Kwang Heep, but the three senior merchants returned it to me in the course of the evening with the remark from His Excellency that his orders from the Emperor were imperative, and that he could not take it unless it bore the character "*Pin.*"

The merchants were at the same time desired to acquaint me that the Governor was a lover of peace and good understanding, and would go as far as he could to accommodate the difficulties upon the subject of intercourse. They then proposed by his command, that I should receive an official Address from the Governor, setting forth that the three senior merchants were indeed Mandarins, and that therefore I could no longer reasonably decline to receive papers addressed to them for communication to me.

I answered that it needed all my respect for His Excellency to return any other than very strong terms of reply to this extravagant suggestion, and that I should certainly be less scrupulous if any heedlessness of the kind were repeated.

My Government was actuated by sentiments of profound veneration for the Emperor, but it should be plainly understood that it would not regard these triflings and evasions with satisfaction. They were unfriendly and unworthy.

I then remarked that I had now formally offered to set forth the peaceful purposes of the Rear-Admiral's visit, and if the Governor did not think fit to accept these explanations, my business in Canton was concluded, and I should return forthwith to Macao.

Whilst these communications were passing at Canton, a British boat passing through the Bocca Tigris, on the 28th ultimo, was fired upon by the batteries, and upon her arrival in Canton, Mr. Middlemist, a passenger on board, made a declaration before me, subsequently reduced into writing on board the *Wellesley*.

Upon this I sent again for the three senior merchants, and desired them to express to the Governor my serious anxiety upon the subject. The Rear-Admiral had taken the utmost precaution to prevent the least cause of irritation or suspicion, and I was afraid that the offensive declaration at the Forts, that violence was used especially in search for him, and not for opium, or other illicit trade, would give him great and just displeasure. At all events, I felt that it became me immediately to submit the circumstance to his knowledge, and I sincerely hoped the Governor would furnish me with an official disavowal of any intention to insult or provoke him.

The merchants declared that the Governor could have no such purpose, and that the whole matter was of course a mistake of the inferior officers, but they did not hand me any formal declaration to that effect. and I therefore proceeded at once to the Rear-Admiral at Tong-Koo-Bay, where I arrived on the 1st instant.

I represented to him that in my judgment, this was the first of what would be found to be a series of experiments on the extent of his forbearance, and that I had a conviction the Provincial Government would tone their future proceedings in his respect, either for civility or increased aggression, by his treatment of the actual emergency.

The

The Rear-Admiral remarked to me that he had come to China with a deliberate determination most studiously to avoid the least violation of the customs or prejudices either of the Government or people; but that he was not less resolved to bear no insult on the honour of the flag entrusted to his protection, and that he should therefore proceed forthwith to the Bocca Tigris with Her Majesty's ships under his command, and demand a formal disavowal of these unprovoked attacks upon him.

Her Majesty's ships *Wellesley*, *Larne*, and *Algerine*, were accordingly moved to the anchorage of Chuen-pee, where they arrived on the morning of the 4th instant, and I accompanied them in the cutter *Louisa*, with the hope to render myself useful to the Rear-Admiral.

On the morning of our arrival there, the Captain of the Flag-ship was sent to the men-of-war junks off the batteries, accompanied by Mr. Morrison, and conveying a Despatch from the Rear-Admiral to the Governor of Canton.

The Chinese officers manifested considerable disinclination to this course of proceeding (without, however, positively declining it), and began by proposing some alteration in the form of the Address, which involved no abandonment of the Rear-Admiral's right to communicate upon a footing of equality, and was therefore adopted.

But whilst these communications were passing upon the subject of the mode of address, the accompanying paper from the Chinese Admiral was received, and, upon this, it was determined to apply at once to that functionary for redress, which was accordingly done next morning (the 5th).

The result was the mission of a Mandarin of equal rank with Captain Maitland, to wait upon the Rear-Admiral, accompanied by one of less rank; and the expressions of disavowal of any intention to insult were written at the dictation of the higher officer, by the hand of the other, on board the *Wellesley*, in the presence of the Rear-Admiral, Captains Maitland, Blake, Kingcome, Mr. Morrison, and myself.

Sir Frederick signified his satisfaction with this declaration, and took occasion through Mr. Morrison to make some further observations, the purport of which I have now the honour to submit.

An exchange of civilities then took place, and on the morning of the next day (the 6th) the ships returned to their former anchorage at Tong-Koo Bay, where they still remain.

I have already presumed to offer my respectful testimony to the great judgment and temper which the Rear-Admiral displayed in the discharge of this duty: and I believe it will appear to your Lordship that the whole transaction is calculated to leave lasting and favourable impressions both of the firmness and moderation of the higher officers of Her Majesty's Government.

These events have passed without interruption to the trade, or any other description of inconvenience.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 125.

Sir Frederick Maitland to Captain Elliot.

Sir, *Her Majesty's Ship* Wellesley, *Madras, April* 21, 1838.

THIS letter will be delivered to you by Captain Blake of Her Majesty's sloop *Larne*, who I have ordered into the China seas to afford protection to the British interests, and to give weight to any representations you may be under the necessity of making, in case any of Her Majesty's subjects should have just cause of complaint against the Chinese authorities, and to assist you in maintaining order among the crews of the British merchantmen who frequent the port of Canton.

I have now the honour to inform you that I relieved Vice-Admiral Sir T. B. Capel in the command of Her Majesty's ships in the Indian seas, on the 5th of February last, and have only delayed sending a ship to China in consequence of the state of the relations of the Indian Government with that of Ava; for the

present, everything bears a pacific aspect, though it is by no means certain that the differences between the two Governments may not ultimately produce hostilities. I shall, however, take advantage of the present position of affairs, to send the *Larne* to Macao, and after communicating with you cordially and confidentially, with instructions to go on to Manila, and obtain a supply of cordage for the dockyard at Trincomalee, and then return to Macao.

In the early part of June it is my intention to leave the Straits of Malacca, for the purpose of paying Macao a visit in the *Wellesley*, in compliance with instructions from the Lords of the Admiralty, to enable me to have a personal communication with you, as the interchange of information for which such communication will afford an opportunity, might, in many possible future contingencies, be highly advantageous to the British interests.

As it is possible the arrival of my flag-ship, as well as that of others which I may from time to time send into the China seas, may give some cause of jealousy and suspicion to the Government of China, I wish you clearly to understand that the trade being no longer a monopoly of a company of merchants, comes under the immediate protection and care of Her Majesty's Government; and that that Government considers itself bound to see that the ships and persons of Her Majesty's subjects are duly protected from injury or insult, as is the case in all other portions of the globe. This I communicate to you, that the Chinese Government may, if necessary, be put at ease, and no suspicion arise of any hostile intention on the part of the British Government, which is the farthest from their views, by the more frequent visits of our ships now, as compared with former times.

Though Captain Blake is commanded to assist you in maintaining order among the crews of the British merchant ships, you must be perfectly aware he, as captain of a ship of war, has no legal right to interfere, and must be very cautious in committing himself in the disputes between the masters and their crews.

I have, &c.,

(Signed) FREDERICK MAITLAND,

Rear-Admiral and Commander-in-chief.

Inclosure 2 in No. 125.

Sir Frederick Maitland to Captain Elliot.

Sir, Wellesley, *off Macao, July* 12, 1838.

IN reference to my letter, dated at Madras, 21st of April last, acquainting you with my intention to visit in person this part of my station, I now beg to inform you that I have arrived off Macao in Her Majesty's ship *Wellesley*, and mean to proceed to the anchorage called Tong-koo Bay, or Urmstone's Harbour, which I am informed is the safest and most convenient roadstead for a large ship at this season of the year.

My future movements will be directed very much by circumstances, and I shall be obliged to you to communicate any information you are possessed of, which you think may be useful or interesting to me, as my stay in this neighbourhood must depend very much upon circumstances.

I shall not form any plan until I have communicated with you, which I shall take an early opportunity of doing.

I have, &c.

(Signed) FRED. L. MAITLAND,

Rear-Admiral and Commander-in-chief.

Inclosure 3 in No. 125.

Captain Elliot to Sir Frederick Maitland.

Sir, *Macao, July* 15, 1838.

I HAVE the honour to acknowledge your Excellency's despatches dated on the 21st of April and 12th instant.

Your remark that the aspect of public affairs in India was unsettled, and that therefore your intention to visit this part of your station might be frustrated for the present, led me to refrain from making any communication to the Provincial Government founded upon that contingency till the period of your actual arrival in these seas.

It is now my purpose to repair to Canton towards the end of this week, and to cause it to be announced to the Governor that I am ready, by your desire, to explain the peaceful objects of your visit, if his Excellency shall think fit to receive my address in a manner which may be consistent with my instructions from Her Majesty's Government.

I shall, at the same time, in conformity with your directions communicated to me in the conference I had the honour to have with you on the 13th instant, acquaint the Governor that you are willing to pay your personal respects to him, upon the clear understanding that you are to be received on a perfectly equal footing.

And I shall take care to explain, as you have desired, that you would never forward or receive written communications to or from the Governor, except they bore the superscription significant of complete evenness of dignity.

It is probable that the Provincial Government will make some approach towards me as soon as your arrival is reported, and with that impression I have deferred my visit to Canton till the period I have mentioned.

In conclusion, I permit myself to remark that it is a source of great satisfaction and support to me to have your concurrence, that every proper effort should be made upon my part, (and failing my success, upon your own) to explain the amicable objects of Her Majesty's Government in commanding you to visit this empire.

The rejection of all means of friendly communication with Her Majesty's Government submitted upon the part of an officer of your high station, and in an imposing attitude, is a course not to be expected; or at all events, there can be little doubt that such rash impracticability would expose the Governor to the grave displeasure of his own Court if it were persisted in, and made the subject of future complaint at the mouth of the Pei Ho.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 4 in No. 125.

Captain Elliot to the Keun-Min-Foo.

Macao, July 15, 1838.

THE Undersigned, &c., &c., cannot receive a communication from the Keun-Min-Foo, bearing the superscription *Yu.* It is, therefore, returned for correction.

For this purpose he writes; and, with compliments, he remains, &c.

(Signed) CHARLES ELLIOT.

Inclosure 5 in No. 125.

Captain Elliot to the Governor of Canton.

Canton, July 29, 1838.

AN English officer, of the 1st rank, "Maitland," commanding the ships of his Sovereign in the Indian Seas, has arrived off these coasts, by the command of his Government.

The Superintendent Elliot has now received "Maitland's" instructions to signify to his Excellency the Governor, that he desires to explain the peaceful purposes of this visit.

It would be convenient, therefore, that the manner of intercourse should be clearly understood beforehand, so that all difficulties and misunderstandings may be prevented.

For this reason Elliot requests that the Governor will be pleased to send officers to communicate with him.

And if they should come, his Excellency may be assured that they will be received in a manner consistent with their dignity.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 6 in No. 125.

Declaration of Captain Middlemist.

MR. WILLIAM CAMPBELL MIDDLEMIST, a Master in Her Majesty's Royal Navy, and Commander of the British Ship *Falcon*, of London, now lying at Heong-kong, states, that he was proceeding from Heong-kong to Canton, on the twenty-eighth day of July, 1838, in the Schooner *Bombay* (passage-boat), when, nearing the Bogue, he was chased by two Mandarin boats, which made signs, by waving a flag, which he understood to be a signal to heave to; which signs were disregarded, it not being usual for the Mandarin boats to make such signals. One of the Mandarin boats then fired a musket, apparently to call the attention of the batteries, which immediately commenced firing shot upon the *Bombay*, which at first fell short, but, as the passage-boat approached the Bogue fort, being under the necessity of closing the land, the shot from the batteries were better directed, two of them passing between the masts of the schooner, and one within a yard of the bow, throwing the water on board. The *Bombay* then immediately rounded-to, and was boarded by one of the before-mentioned Mandarin boats, at about 4 P.M. The boarding officer (who was not the Mandarin, but an interpreter) inquired whether "Admiral Maitland, or any of his soldiers, women, or man-of-war's men, were on board? If so, they would not be allowed to pass up the Bogue:" which inquiries were answered in the negative.

On one of the passengers of the *Bombay* inquiring of the boarding officer whether he would seize opium, if any were on board, that officer answered *No!* The officer then left the schooner, and she proceeded again for Canton; but, in about an hour afterwards, she was again brought-to by a shot from the Tigre fort, and boarded by a boat from that fort, the officer of which (who did not leave his boat) made the like inquiries, viz., "Whether Admiral Maitland, or any of his soldiers, women, or man-of-war's men were on board?" which being answered, as before, in the negative, the schooner was allowed to proceed without further molestation.

(Signed) W. C. MIDDLEMIST,
Master, R. N., and Commander of the British Ship Falcon.

Declared before me, on board Her Majesty's Ship *Wellesley*, in Tong-koo Bay, 1st of August, 1838.

(Signed) CHARLES ELLIOT,
Chief Superintendent of British Trade in China.

Inclosure

Inclosure 7 in No. 125.

Admiral Kwan to Sir Frederick Maitland.

KWAN TIENPEI, General (or Admiral) of the Celestial Empire, the Potent and Fear-inspiring, writes, for the information of Maitland, the Chief Commander of the vessels of war of the English Nation.

We of the Celestial Empire, and you of the English Nation, have had a common market at Canton for two hundred years past. On both sides there has been the fullest harmony, without the slightest interruption thereof. During the continuance here of your Nation's Superintending Officer, Elliot, all too has been quiet.

Recently, Elliot went to Canton, and there told the Hong merchants, that, in consequence of the unwillingness of the merchants of the various nations to submit to restraint, he had represented to his Sovereign a wish that another should be sent hither in his place; that now his Sovereign had sent from home the noble Maitland, and it was desired that both should repair together to Canton, humbly and plainly to address his Excellency the Governor, in reference to the continuance here of Elliot as Superintendent. To these public arrangements of your Nation, his Excellency our Governor would of course consent, were it not that the prohibitory enactments of the Celestial Empire have hitherto withheld from Commanders-General of vessels of war permission to enter the port; and of this Elliot is well aware.

On a recent visit of Elliot to Canton, he sought to effect a sudden change in the ancient rules, by using, in place of the words "Humble address," (*Pin,*) the words "Letter of intelligence," (*Shusin.*) Hence his Excellency our Governor declined to receive, in disobedience of the regulations, his documents. Perhaps Elliot may have failed to inform you, the Honourable Commander-General, of this circumstance of not using the words "Humble address."

What may be the motives for your present step of moving these three vessels to the anchorage of Lung-keet? When *I* consider that your Sovereign has sent you hither, a distance of tens of thousands of miles, to conduct affairs, I feel that you must be a man of capacity at home. Should you now neglect to distinguish clearly right from wrong, and act upon the spur of the moment, will not the blame rest on you—how will you be able to answer it to your Sovereign?

These things I specially put before you; and, while quietly awaiting your reply, I wish you unalloyed enjoyment of repose.

[Not dated, but received the 4th of August, 1838.]

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 8 in No. 125.

Sir Frederick Maitland to the Chinese Admiral.

Her Majesty's Ship Wellesley, *off Chuenpee, August* 5, 1838.

IN reply to the Admiral's note of yesterday, I have shortly to observe that the cause of my coming to this anchorage of Lung Keet is distinct from the affairs of Elliot, and is to demand explanations for an insult offered to the Sovereign of my country in the person of myself, by firing at and boarding a British vessel, under the pretext that I might be on board.

I have now to request that the Admiral will send me officers, in order that I may fully explain my meaning, and, having fulfilled my objects in coming to this anchorage, sail away to more convenient places below.

Thus will all chance of an interruption of the peace that has so long subsisted between the two countries be happily removed.

With compliments, I have the honour to remain, &c.,

(Signed) F. L. MAITLAND. (L.S.)

Inclosure 9 in No. 125.

Declaration of Chinese Officers.

ON the 8th day of the 6th month (28th July), an English boat was entering the Bogue, when certain natives spoke wrongly of your Honourable Admiral, his family, and subordinates, inquiring whether they were on board or not, and adding that, if they were on board, the boat must return, but, if not, she might proceed through the Bogue. This has been inquired into. It was not done in consequence of any official orders; the wrong language was that of the natives aforesaid themselves. Should any such-like language be used hereafter, the circumstance shall be at once investigated and punished. Their thus offending your Honourable Admiral is one and the same as offending our own Admiral.

[The above was written by Le, a Hiétái or Tsántseáng, and another officer, whose name was not learned, of the rank of Shaupei. It is in the handwriting of the latter, whose rank may be considered analogous to that of Lieutenant Commander. The rank of the former is analogous to that of Post-Captain.]

True Translation.

(Signed) J. Robt. Morrison,

August 5, 1838. *Chinese Secretary and Interpreter.*

Inclosure 10 in No. 125.

Minutes of Correspondence held on board the Wellesley.

August 5, 1838.

AFTER the officers deputed by the Chinese Admiral to visit Sir Frederick Maitland had, in writing, disavowed, on the part of their Admiral, all sanction of the insulting inquiries made on board the boat *Bombay*, Sir Frederick Maitland observed, "That irregularities will happen, but, as they may lead to serious misunderstandings between the two nations, they require to be noticed and checked. That the Tetuh had expressed a determination to punish the person who had committed this offence. But that, since every intention of insulting the British flag had now been disavowed, he hoped the Tetuh would consider it an accident, and forgive the offender." To this the officers replied, that it was an insult to the Tetuh himself, as well as to Sir Frederick Maitland, and that the offence could not be passed over, but must of necessity be punished.

The Admiral then said, that having satisfactorily settled the business that had brought him up to Lungkeet, he meant to take the earliest opportunity of wind and tide to return to Lungkoo. That, the monsoon, being now

against

against his return southward, he would probably remain some weeks longer in that neighbourhood. He added, that, since the trade had ceased to be in the hands of the Company, frequent visits of British vessels of war may be expected, it being in accordance with the genius of the English nation to look after its subjects in foreign countries, to see that they are subjected to no insults, and that disturbances do not take place among them. That they may rest assured, however, that these vessels will come always with a peaceful purpose.

The officers requested, in the name of the Tetuh, that orders should be given to put a stop to the irregularities of British subjects, such as had been alluded to in the second conference between the Tetuh and Captain Maitland. The Admiral informed them, that merchant vessels are not under the martial discipline of the Navy, but are subject to the Civil Authority; and pointed them to Captain Elliot, who was present. Captain Elliot assured them that his constant wish has been to preserve peace and good order. He added a desire that the Governor might be informed that the late negotiations on his part were carried on by him, in obedience to the orders of his Government, and were not owing to any want of respect towards his Excellency.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 126.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, February* 27, 1839.

YOUR despatches to 13th October, inclusive, of last year, have been received and laid before Her Majesty's Government.

I am not yet enabled to form any opinion as to the instructions which it may be right to send you on the subject of the debts of the Hong Hing-Tae, as it appears uncertain in what state that question might be, when any directions relating to it could arrive in China.

Your despatch of the 29th of March last, inclosing a copy of the memorial of the British merchants interested in this matter, was received on the 12th of October last. In this memorial the merchants prayed for the interference of Her Majesty's Government with that of China, to obtain a settlement of their claims upon more equitable terms than those which had been proposed by the insolvent Hong, and which had been sanctioned by the Governor of Canton. But, on the other hand, it appears from Canton newspapers lately received in England, that about the time when your despatch was received at this office, the British merchants at Canton had effected an arrangement with the Hong merchants upon terms not very different from those against which they had in their memorial protested.

I request that you will inform me whether this statement is true; and if it is, I have further to instruct you to impress upon the British merchants resident in China, that it is of great importance to their own interests, as well as to the character of this country, that they should not on any future occasion hastily apply to the British Government to found a representation to the Chinese Government in their behalf, upon principles which they themselves may be disposed to abandon before such representation could reach the Chinese authorities.

I am, &c.,
(Signed) PALMERSTON.

No. 127.

Viscount Palmerston to Captain Elliot.

Sir *Foreign Office, March* 23, 1839.

YOUR despatch of the 18th of April last, relating to certain regulations which you had thought it advisable to establish with a view of con-

trouling the conduct of the crews of British merchant vessels trading with Canton, has been submitted to Her Majesty's Law Officers, with a request, that they would take the same into consideration, and report their opinion whether those regulations are in any way at variance with the laws of England, or inconsistent with the territorial rights of China. The Law Officers have accordingly reported that the regulations in question are not in any way at variance with the laws of England, provided they be duly made and issued by Her Majesty, according to the Act of the 3rd and 4th William IV., ch. 93, sec. 6; but that you have no power of your own authority to make any such regulations. With respect to the territorial rights of China, the Law Officers are of opinion that the regulations, amounting in fact to the establishment of a system of police at Whampoa, within the dominions of the Emperor of China, would be an interference with the absolute right of sovereignty enjoyed by independent States, which can only be justified by positive treaty, or implied permission from usage.

Under these circumstances, I have to instruct you to endeavour to obtain the written approval of the Governor of Canton for these regulations, and as soon as that approval is received in this country, the proper steps shall be taken for giving force to those regulations, according to the provisions of the Act of Parliament.

I am, &c.,
(Signed) PALMERSTON.

No 128.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, March* 23, 1839.

IN continuation of the subject of my despatch, of the 27th ultimo, I think it right to state to you, for your information, that when the memorial of the British merchants, dated the 21st of March, 1838, was received at this office, Her Majesty's Government felt disposed to take immediate steps for obtaining from the Chinese Government redress of the grievances which that memorial set forth; but upon further consideration, it was thought expedient to abstain from doing anything with that view, until the necessity for the interference of the British Government shall have become more manifest. There seemed reason to expect that the appearance of the British Admiral in the river of Canton, might, by its moral influence, have brought about an arrangement of this question, and thus have obviated the necessity for any further measures on the part of Her Majesty's Government.

I am, &c.,
(Signed) PALMERSTON.

No. 129.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, March* 30, 1839.

WITH reference to your despatches of 7th and 10th August, and 13th October, 1838, in which you report the proceedings which took place between yourself and Rear Admiral Sir Frederick Maitland on the one part, and the Chinese Authorities on the other, upon the late visit of the Rear Admiral to the neighbourhood of the Canton river, I have much satisfaction in conveying to you the approval of Her Majesty's Government of your conduct on this occasion.

I am, &c.,
(Signed) PALMERSTON.

No. 130.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, June* 13, 1839.

YOUR despatches to the 31st of December of last year, and to the 30th of January of this year, have been received and laid before Her Majesty's Government.

With reference to such of those despatches as detail the circumstances which led to an interruption of the trade, for a short period, in December last, and the steps which you took in consequence, with a view to the re-opening of the trade, and to the re-establishment of your official communications with the Chinese Authorities, I have to signify to you the entire approbation of Her Majesty's Government of your conduct on those matters. But I have, at the same time, to instruct you not to omit to avail yourself of any proper opportunity to press for the substitution of a less objectionable character than the character "*Pin*," on the superscription of the communications which you may have occasion to address to the Viceroy.

I am, &c.,
(Signed) PALMERSTON.

No. 131.

Captain Elliot to Viscount Palmerston.—Received April 22, 1839.)

My Lord, *Macao, October* 13, 1838.

I HAVE the honour to report that the Rear-Admiral left these seas for Singapore, on the 5th instant.

A Government officer having visited the *Wellesley* at Toong Koo, sometime in the month of August, during Sir Frederick's Maitland's absence at this place, with a request to know when the ship would proceed to sea, it was considered proper to address the Tetuh on the subject. And the accompanying correspondence will satisfactorily convince your Lordship that the best understanding has subsisted to the last moment of the *Wellesley's* continuance in China.

No difficulties were experienced about the supply of Her Majesty's ships; and the Tetuh on several occasions sent officers to visit the Rear-Admiral with the expression of his condolence upon the demise of his niece, and of his best wishes for his health and happiness.

I have &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 131.

Sir Frederick Maitland to the Chinese Admiral.

Toong Koo, August 29, 1838.

REAR-ADMIRAL Sir Frederick Maitland has the honour to acquaint the Tetuh, that the ship bearing his flag, now lying at Toong Koo, has recently been visited by a Government boat, with a desire to be informed when the ship will proceed to sea.

In order that no doubt may exist as to the real and peaceful purposes of his visit, Sir Frederick Maitland considers it proper to record in a written form, the explanation which he had the honour to make to the Honourable officers, who waited upon him at Chuenpee on the 5th instant.

The trade has now ceased to be in the hands of the Company, and is under the direct control and protection of the British Sovereign.

Frequent visits of British men-of-war therefore must be expected, because it is in accordance with the genius of the English Government to look after the

interests of its subjects in foreign countries, to see that they are subjected to no injustice, and that no disturbances take place amongst them.

The Chinese Government, however, may rest assured, that the British vessels of war who visit this empire, will come always with a peaceful purpose; but Sir Frederick Maitland must demand, in the name of his Government, peaceful and respectful treatment towards them.

The monsoon being now against his return to the southward, Sir Frederick Maitland will probably remain a few weeks longer in this neighbourhood.

With expressions of compliment and consideration, he has the honour to remain, &c.

(Signed) FRED. L. MAITLAND,
Rear-Admiral and Commander-in-Chief.

Inclosure 2 in No. 131.

Note from the Chinese Admiral in reply to Sir Frederick Maitland's Letter of August 29, 1838.

ON the 29th August, I opened and perused your communication, and acquainted myself with all the honourable and excellent thoughts therein expressed. The thoughtful care that is therein manifested, has also yielded me gratification. Having before heard that you were indisposed, and having also been informed of the loss of your niece, I was mentally grieved; but yet I dared not, by waiting upon you, to infringe the rules of my country; at this I trust you will not feel any offence.

The outer seas afford good space and depth of water; and there is nothing to apprehend from winds or waves. Should your public affairs yet detain you several weeks, there can be no obstacle thereto. I pray you to be careful of yourself, to keep your body in health and comfort.

I specially address this in reply, and wish your Excellency much and many blessings.

True Translation.
(Signed) J. ROBT. MORRISON,
Chinese Secretary and Interpreter.

Inclosure 3 in No. 131.

Sir Frederick Maitland to the Chinese Admiral.

Toong Koo, September 25, 1838.

REAR-ADMIRAL Sir Frederick Maitland being about to sail away from the Canton river, for other parts of his station, as the season for the change of monsoon is fast approaching, takes this opportunity to acquaint the Tetuh therewith, and expressing the high sense he entertains of the manner in which all the communications which have passed between his Excellency and himself, have been carried on.

It has been Sir Frederick Maitland's constant desire to maintain such order amongst the officers and men under his command, as might prevent any act of theirs giving offence to the Chinese authorities, in which he trusts he has been successful; and the captain of every British ship-of-war which may hereafter be sent to the coast of China, will be directed to comport himself in the same manner.

Sir Frederick Maitland further feels it a duty he owes to the Commanders of the Imperial war-junks which have been stationed in the neighbourhood of the ship bearing his flag, to state for the Tetuh's information, that their conduct has been marked by the strictest propriety and civility.

Sir Frederick Maitland requests the Tetuh will accept his best wishes for his health and prosperity; and as a mark of his feelings towards him, begs he will honour him by the acceptance of a few bottles of Cape sweet wine.

(Signed) FRED. L. MAITLAND,
Rear-Admiral and Commander-in-Chief.

No. 132.

Captain Elliot to Viscount Palmerston.—(*Received May* 27, 1839.)

My Lord, *Macao, December* 2, 1838.

THE Inclosure No. 1, covering a Memorial from certain creditors on the bankrupt merchant "Hingtae," has this moment reached me. I avail myself of the opportunity of a vessel upon the point of departure for Calcutta to forward these papers by the way of Egypt. But I shall take a very early occasion to address your Lordship again upon this subject.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 132.

Mr. Inglis to Captain Elliot.

Sir, *Macao, December* 1, 1838.

I HAD the honour in March last to request you, on the part of certain creditors of the Chinese bankrupt Hong merchants, to forward their Memorial to Her Majesty's Principal Secretary for Foreign Affairs.

The creditors of these Hong merchants, have since agreed to a settlement for the payment of their claims, and have even received a first dividend of 4 per cent. upon Hingtae's debts. They think it advisable, in consequence, to address the Foreign Secretary again upon the subject; and I am delegated by them to hand you the inclosed memorial, with their request that you will kindly forward it to its destination, with such explanations as you may think necessary for the information of Her Majesty's Ministers, and the furtherance of the object of the Memorial.

I have, &c.,

(Signed) ROBERT INGLIS.

Inclosure 2 in No. 132.

The Creditors of the Hong Merchant Hingtae to Viscount Palmerston.

My Lord, *Canton, November* 26, 1838.

WHEN we had the honour to address your Lordship on the 21st of March last, respecting our claims upon the Chinese Hong merchants, we took occasion to inform the Viceroy of Canton that we had done so; but we added, that in attending your Lordship's acknowledgment of our Memorial, we should gratefully receive any portion of our claims which the Viceroy might order to be paid, and listen to any propositions upon the subject which the Hong merchants might offer. The Viceroy in reply, rebuked what he called our perversity; but the Hong merchants continued to negociate a settlement of our claims; and we have finally agreed to receive payment of them in the following manner, viz.:—Hingtae's by instalments in 8½ years, beginning from the 30th November 1837; and Kingqua's by instalments in ten years, beginning from the 1st July of the present year; together with simple interest at the rate of 6 per cent. per annum, upon the latter's debts, to be paid after the liquidation of the principal.

Your Lordship will observe that we have gained little better terms for the liquidation of Hintae's debts, than at the date of our last Memorial, but we have also arranged for Kingqua's; and looking to the magnitude of the debts, and to the precedents in favour of their liquidation by instalments, we have thought it prudent not to press the matter further. We cannot, however, forbear to call again to your Lordship's attention, that the main difficulty in obtaining a more favourable settlement has been, according to the Hong merchants themselves, the demands upon them by the Hoppo, who has lately retired from office, and by the present functionary who succeeded him, on

account of alleged Imperial dues and requisitions. Contingencies of this kind, which interfere with the adjustment of our claims, may obviously become, in conjunction with other causes, the means of protracting the payments of the instalments, if not of failure altogether, in their ultimate liquidation. We do not presume, in opposition to the usage of our own and other countries, to expect payment of our debts, before the just dues of Government; but your Lordship has already been made aware that the Imperial Government is pledged to us, both by law and prescription, for the Hong merchants' debts; and our claims are therefore identified with its own. The demand upon the Co-hong, besides, does not arise entirely out of dues already incurred to the Government, but out of temporary exactions, which we have reason to believe to be sometimes a mere cover for extortion.

We beg further to urge upon your Lordship's attention, that Kingqua's hong has not been officially declared insolvent, although we have the Viceroy's sanction to the proposed liquidation of its debts; to effect which, the Co-hong has agreed to pay 125,000 dollars annually. We believe the arrangement to be made in perfect good faith; but the informality attending it may no doubt, be adduced hereafter to invalidate the settlement, should the Hong become ultimately bankrupt. We do not hesitate, nevertheless, to accede to the proposed terms, seeing that our own wish to carry on the Hong is echoed by the Co-hong, and sanctioned by the Viceroy. We could expect nothing from its formal bankruptcy but another tedious discussion; and the substitution for it, of another Hong of, perhaps, less character, and no better credit.

We expressed a doubt in our former Memorial to your Lordship, of the Hong merchants to conduct their affairs beneficially, in the present state of the trade between China and Great Britain; which in addition to the above causes, occasions distrust of the regular payment of the dividends on our claims, as now proposed. In foregoing, therefore, our pretensions to more favourable terms, we repose always on the hope of aid from Her Majesty's Government to procure fulfilment of the stipulations of our agreement, should our fears of its infraction be unfortunately realized.

The chief object of our first Memorial to your Lordship is thus temporarily disposed of; but the other impediments to our trade therein complained of still remain. No new Hongs have been established, and we have still, therefore, to anticipate future debts, and their tedious and unprofitable liquidation, perhaps after such another twenty months' exasperating discussion with the local authorities, and with the Co-hong, as that from which we have just escaped. We venture again, therefore, to urge upon your Lordship's consideration that part of our former Memorial, which suggests the interference of Her Majesty's Government, whenever a fit opportunity may offer, to provide for the earlier liquidation of debts which the Hongs may hereafter incur; not less to save Her Majesty's subjects, who may unfortunately be implicated in the debts, the direct loss attending their protracted payment, than to obviate the necessity of their recurrence, by inducing the Imperial Government to remedy the inefficiency of the Co-hong, and to restrain the exactions imposed upon it by the Local Authorities of Canton.

The attention of Her Majesty's Government may be engaged more readily to this subject by the fact that it is proposed to pay Hingtae and Kingqua's debts, and the Government claims, chiefly out of additional duties on the foreign trade, lately imposed for this purpose. These duties are not only a cause of much immediate vexation to the importers of British manufactures, but an accumulation of them hereafter, occasioned by the recurrence of Hong debts, during the progress of liquidation of those of Hingtae and Kingqua, would probably amount to a prohibition of such imports by legal trade.

We have, &c.,

(Signed)

DENT and Co.
BELL and Co.
GIBB, LIVINGSTON, and Co.
DIROM and Co.
FOX, RAWSON, and Co.
DANIELL and Co.
D. and M. RUSTOMJEE.
TURNER and Co.
NANABHOY FRAMJEE.
JOSEPH CRAGG.
WM. THOS. KINSLEY.

No. 133.

Captain Elliot to Viscount Palmerston.—(*Received April* 18, 1839.)

Her Majesty's Cutter Louisa,
at anchor in Whampoa Reach,
December 8, 1838.

My Lord,

I AM concerned to report, that the trade is at this moment cast into a state of critical difficulty, by a circumstance which, so far as it has reached my knowledge, I have now the honour to detail. It appears that the Governor has lately incurred the severe displeasure of the Court, upon the ground of a lax execution of the orders concerning the more effectual prevention of the traffic in opium. A remarkable increase of activity has ensued, and on Monday last, the 3d instant, a seizure of opium was made by the Custom-House officers at Canton, immediately in front of the foreign factory inhabited by Mr. James Innes. The two native Coolies who were landing the boxes were apprehended, and are said to have confessed, (I am very much afraid under the infliction of cruel punishment,) that they were that gentleman's servants; that the opium was his, and that it had been brought from a ship at Whampoa.

It further seems that one of these Coolies declared, that the name of the master of the ship was "Ki-le-wun," a sound which the examining Mandarins decided must signify the name of the master of the American ship, *Thomas Perkins*, whose name I am told is Cleveland. All the Hong merchants were summoned before the Governor on Tuesday the 4th, and have subsequently announced to the foreign merchants in a written form, that his Excellency has issued orders for the departure from China, both of Mr. Innes and the ship, within three days.

The Hong merchant who secured the ship has already been sent down to this place, and is at this moment undergoing the unmerited and degrading punishment of the cangue or wooden collar; wholly unmerited indeed, my Lord, even if this opium had come from on board the ship in question, for this unfortunate man could neither have known nor prevented its introduction; but it is beyond a doubt that it did not come from her at all, and almost as certain that it did come from one of the numerous small craft now at anchor in this river. These severe and unjust proceedings have had their immediate origin, in fact, either in the confused pronunciation of the wretched Coolie, or as probably in the fabrication of a name, wrung from him by inquiry under torture.

In the first excitement of alarm and indignation after the Governor's excessively harsh treatment, (for there is reason to believe they were several hours on their knees before him with the instruments of punishment laid out to intimidate them,) the Hong merchants were goaded into a written menace to pull down their house, in which Mr. Innes lives, if he did not leave Canton within the period specified by his Excellency. But the general body of the merchants, with becoming spirit, and at the same time in a calm and judicious manner, expressed their determination to resist such rash proceedings at all hazards. It must also be mentioned, to the great credit of these unhappy men, that a better spirit soon exercised its influence, and they have frankly recalled their hasty expressions. The trade has not yet been stopped by any written instrument under the Governor's hand, or at least which has yet been transmitted to the foreigners, but the Hong merchants have written to them to say, that they have his Excellency's orders to discontinue all trade whatever, till his injunctions are obeyed, and for the last three days there has been an entire cessation of business. I should observe, that these tidings only met me at this anchorage, where I arrived yesterday morning for the adjustment of certain difficulties on board some of the merchant-ships now here.

Your Lordship may be assured that I will avail myself of the first proper

opportunity to make an earnest effort to end the actual disquieting condition of circumstances. I shall also seize every occasion to keep your Lordship informed of the progress of events; and I have now the honour, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

December 9, 1838.

P.S. I learn this morning that the Governor has extended the period for the departure of Mr. Innes and the American ship to ten days.

(Signed) CHARLES ELLIOT.

No. 134.

Captain Elliot to Viscount Palmerston.—(Received April 13, 1839.)

My Lord, *Canton, December* 13, 1838.

MY despatch of the 8th inst. will have prepared your Lordship for grave difficulties in Canton; and it is now my duty to report an event which has just passed, to the imminent hazard of the lives and property of the whole foreign community. Yesterday forenoon, at about 11 o'clock, the foreigners were struck with astonishment by a sudden preparation in the square in the immediate front of the factories, for the strangling of a criminal. It was at once determined to resist this unprecedented and intolerable outrage: and the officer in charge of the small body of police on the spot was requested to take instant measures for conveying this resolution to the higher authorities; and, in the meantime, the foreigners themselves removed the tent and the other apparatus which had been prepared. This officer appears to have conducted himself with remarkable moderation, offering no resistance to these proceedings; neither did the considerable crowd which had already assembled, evince any unfriendly dispositions towards the foreigners, but, it would seem from general concurrence, rather the contrary. Between 1 and 2 o'clock in the afternoon, however, when the crowd had become exceedingly dense, but was still perfectly inoffensive, and collected from motives of mere curiosity, some rash foreigners provoked the people by forcibly pushing in amongst them, and assailing them with sticks. They returned this wanton attack with showers of stones, and other violence, and in a few minutes the foreigners were driven in within the gates of their respective factories, which were immediately closed. But the fury of the crowd, consisting by this time, as I am credibly informed, of at least 6,000 people, was now intensely excited, and for some hours the aspect of circumstances is represented to have been very disquieting indeed. At about 2 o'clock, intelligence was forwarded to me at Whampoa, which reached me at about 4 o'clock in the afternoon, and I repaired immediately to Canton. Before my departure, I issued a circular to the commanders and commanding officers of British ships at that anchorage, directing, that in case it should become necessary to dispatch a force to Canton, they should place themselves under the guidance of Captain Marquis, of the ship *Reliance*; and I requested that gentleman to attend to my further instructions in that respect. On my own way up I was met by still more serious accounts, and I therefore thought it necessary to forward instructions to Captain Marquis to send the boats with all despatch. On my arrival in Canton, at about 6 P. M., I found that the soldiery had already dispersed the mob, and that the prisoner had been executed at one of the usual places appointed for that purpose. This wretched man seems to have suffered for the offence of selling opium; and I am without any doubt that the intention, or rather the manifestation of an intention, to strangle him in this square, was with the purpose to fix upon the foreign community generally, the seriousness of the Governor's determination with respect to the late affair reported in my despatch of December 8.

I sent for the Hong merchants immediately on my arrival in Canton, and desired them to announce it to the Governor, with the expression of my sincerest disposition to render my presence useful in the maintenance of

peace,

peace, and of the complete restoration of the tranquil course of events. They have not yet brought me His Excellency's answer; and the departure of the ship by which this despatch is to proceed, obliges me to conclude,

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Canton, December 14, 1838.

P. S. Every thing is now in a state of tranquillity, and I believe I may confidently assure your Lordship, that the trade will be resumed in the course of a few days.

I hope that the measures which I find it necessary to take with that purpose, will not incur the disapprobation of Her Majesty's Government. They shall be reported by the next occasion.

(Signed) CHARLES ELLIOT.

No. 135.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, April* 15, 1839.

SINCE my despatch of February 27th was written, your despatches of the 2nd and 13th December, 1838, have been received.

I reserve any observations or instructions I may have to send or make to you on the subject of your despatch of December 13, till I receive the further accounts which you announce your intention to send.

These accounts will probably contain all the information that may be requisite for enabling Her Majesty's Government to form an opinion upon the proceedings that have occurred at Canton, and which appear, by intelligence to the 31st of December, contained in the London newspapers of this morning, to have ended in a satisfactory manner; but should you, however, not already have stated the point specifically, I wish to be informed whether the foreigners, to whom you allude in your despatch as having resisted the intention of the Chinese authorities to put a criminal to death in the immediate front of the factories, were British subjects only, or the subjects and citizens of other countries also. I also wish to know upon what alleged ground of right these persons considered themselves entitled to interfere with the arrangements made by the Chinese officers of justice for carrying into effect, in a Chinese town, the orders of their superior authorities.

I am, &c.,
(signed) PALMERSTON.

No. 136.

Captain Elliot to Viscount Palmerston.—(Received April 18, 1839.)

My Lord, *Canton, December* 31, 1838.

THE departure of a ship for Bengal affords me an occasion to report that the public intercourse between this Government and myself is renewed; his Excellency having consented to communicate with me, on all important subjects, under the Seals of the Kwang-Chow-Foo and Kwang-Hee.

In return for this substantial concession, I have agreed to incur the responsibility of communicating with his Excellency, under the character "*Pin*:" but it has been clearly explained that this course has been adopted upon the ground, that native officers of my own rank address his Excellency in the same form; an understanding necessarily involving the principle, that British officers of the first and second ranks will claim the right to communicate upon an equal footing with native authorities of the like degrees.

Despatches containing the full account of these proceedings, and the circumstances and reasoning which have led me to close with this arrange-

ment, shall be transmitted to your Lordship in a few days. It will be satisfactory to Her Majesty's Government to know that the obstructions to the trade are removed, and that it will have resumed its usual course to-morrow or next day.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

January 1, 1839.

P. S. I open my despatch to acquaint your Lordship that the senior Hong merchant has this moment waited upon me, and announced the commands of the Government to re-open the trade; and the cargo permits will be issued to-day.

(Signed) CHARLES ELLIOT.

No. 137.

Captain Elliot to Viscount Palmerston.—(Received May 13, 1839.

My Lord, *Canton, January* 2, 1839.

The necessity of closing my despatches of the 2nd, 13th, and 31st December of last year, to save the ships then upon the point of sailing, prevented me from furnishing a detailed report of the course I had pursued with the purpose to re-open the trade, and to place it on a more secure and honourable footing than it has lately rested.

The Inclosure No. 1, is the copy of a letter my Secretary had received from Mr. Innes, inclosing a protest to be handed to me. Inclosure No. 3, is my reply to Mr. Innes, written on the day before the dangerous riot in front of the factories. Inclosures No. 4, 5, and 6, are the continuance of that correspondence.

In the further disposal of this part of the subject, I have now to inform your Lordship that Mr. Innes applied to the Provincial Government for a passport, and left this place for Macao, on the 16th ultimo, having previously forwarded a declaration to his Excellency, confessing that the opium was his; that it came from his boat, and not from the American ship; and absolving the two Coolies from all wilful participation in the offence, upon the ground that they were ignorant of the contents of the boxes.

The difficulty which remained to be removed before the trade could be opened, was the illicit traffic in opium carried on in small craft within the river, a considerable number of which were stationary at Whampoa, receiving their supplies from time to time in other vessels of a similar description, from the opium ships at Lintin or Hong Kong.

The senior Hong merchants, on the evening of my arrival in Canton, (the 12th ultimo,) complained in bitter terms that they should be exposed to the cruel and ruinous consequences which were hourly arising out of the existence of this forced trade, not merely at Whampoa, but at the factories themselves, of which they were the proprietors; and therefore, under heavy responsibility to the Government. And they insisted that they would not carry on the lawful commerce, (having the Governor's sanction for their conduct,) till effectual steps were taken for the suppression of this dangerous evil.

Mindful of the embarrassments which would ensue if his Excellency (perceiving that all hope of interference upon my part were vain,) should effect this and far more inconvenient objects, by the immediate interruption of the ordinary manner of intercourse, and by the protracted stoppage of the trade, I felt that the moment had arrived for my own interposition.

I therefore desired the merchants to proceed directly to his Excellency, and announce my arrival in Canton; adding, that as no mere difficulties in points of form should deter me, in the actual emergency, from faithfully endeavouring to restore a state of peaceful trade and intercourse, so I looked at his Excellency's hands for reasonable countenance: and above all, for a just and dignified abstinence from measures of irritating pressure upon the general trade.

Carefully considering the critical posture of those momentous interests confided

confided to me, I resolved, as a preliminary measure, upon an appeal to the whole community; not only with some hope that such a proceeding might have the effect of clearing the river of these boats, but because (if the case were otherwise) I felt it became me distinctly to forewarn Her Majesty's subjects concerned in these practices, of the course which it was my determination to pursue.

On the 17th ultimo, therefore, I convened a general meeting of all the foreign residents at Canton in this hall, and addressed them in the manner your Lordship will find reported in the accompanying note, taken at the moment by my Secretary. On the 18th, I promulgated the inclosed notice, and having ascertained that the smuggling boats were still at Whampoa on the 23rd, (some of them wearing British ensigns and pendants), I addressed the accompanying note to his Excellency the Governor.

His Excellency's reply forms Inclosure No. 10; and Inclosure No. 11 is my renewed request that this mode of direct official intercourse on affairs of importance should be declared to be general, and not for the occasion. Inclosure No. 12, is the Governor's assent to this principle, signified, indeed, through the senior Hong merchant, but he was desired to place the original document, bearing his Excellency's seal, in my hands, in order that I might duly authenticate the fact to my Government. I was contented with this acknowledgment, and the flag was re-hoisted on the 30th ultimo at 11 o'clock. On the 31st I was enabled to desire the senior merchant to report the departure of all the boats from Whampoa; and he has this day announced to me the official commands of the Government to open the trade, which I have just signified to the community in the accompanying circular.

The Inclosure No. 14, is a general notice to Her Majesty's subjects, which I have also issued to-day, announcing the renewal of the public intercourse, and publishing those portions of my correspondence with the Governor, which it concerned them to know.

But I have not felt myself at liberty to publish those parts which relate to the manner of my intercourse; upon the ground that it is the special attribute of Her Majesty's Government to dispose of that subject, and that it may be highly inconvenient they should be generally promulgated without your Lordship's sanction.

Having now drawn the statement of these proceedings to a close, I may turn to a more particular explanation of the motives and the manner of my interposition.

It had been clear to me, my Lord, from the origin of this peculiar branch of the opium traffic, that it must grow to be more and more mischievous to every branch of the trade, and certainly to none more than to that of opium itself. As the danger and the shame of its pursuit increased, it was obvious that it would fall by rapid degrees into the hands of more and more desperate men; that it would stain the foreign character with constantly aggravating disgrace, in the sight of the whole of the better portion of this people; and lastly, that it would connect itself more and more intimately with our lawful commercial intecourse, to the great peril of vast public and private interests.

Till the other day, my Lord, I believe there was no part of the world where the foreigner felt his life and property more secure than here in Canton; but the grave events of the 12th ultimo have left behind a different impression. For a space of near two hours the foreign factories were within the power of an immense and excited mob, the gate of one of them was absolutely battered in, and a pistol was fired out, probably without ball, or over the heads of the people, for at least it is certain that nobody fell. If the case had been otherwise, Her Majesty's Government and the British public would have had to learn that the trade and peaceful intercourse with this empire was indefinitely interrupted by a terrible scene of bloodshed and ruin. And all these desperate hazards have been incurred, my Lord, for the scrambling and, comparatively considered, insignificant gains of a few reckless individuals, unquestionably founding their conduct upon the belief, that they were exempt from the operation of all law, British or Chinese.

I owe it to myself to say, that foreseing the serious consequences which must arise from the further growth of this evil, I wrote more than a year and a half since, to the General Chamber of Commerce, moving them to use their best efforts to put it down. It is also an act of similar justice to that body, (and to the great majority of the foreign community settled here,) to state that

this peculiar form of the traffic has been practised or countenanced by very few amongst them. But it was extending itself widely amongst persons not forming part of the resident society, and in no long lapse of time, it must have brought to Canton the refuse of all the countries in our neighbourhood.

Indeed, judging of the future from the past, I feel warranted in saying, that within the space of one year from this time, there would have been at least three hundred armed and lawless men carrying on this business in the very heart of our regular commerce. And if the extent of the mischief hourly impending, was in some sense susceptible of estimate, I must remark that no satisfactory course of remedy has ever yet presented itself to my mind. But that Her Majesty's Government would have been driven into the necessity of very urgent, expensive, and hazardous measures upon the most painful grounds, appeared to me to be a certain result of the protraction of this forced traffic within the river, and at the factories; and with this conviction I resolved to use all lawful means in my power to draw it to a conclusion, and to prevent its recurrence.

I should observe in this place, that the remarkable vigour, not merely of the local, but of the general Government, for some months back, furnished additional cause to apprehend some exceedingly serious dilemma. And regarding the subject in every point of view, I could not but perceive that a person in my station should lose no time in taking such a position as would give weight to his representations in any moment of emergency.

I made up my mind to incur the responsibility of making my communications under the character "*Pin*," because I was sensible that it was vain to hope this Government would consent to give way upon such a point, so long as there was an absence of really pressing necessity; and in that situation of affairs, I am as sure the change would pass without difficulty, and probably without comment. Indeed, I felt I could shape my own proceedings on the present occasion in such a manner as would necessarily involve the principle that British officers should intercommunicate upon a footing of equality with native officers of the same ranks; and more than that, I am afraid it will be impossible to get from this Government without driving it to extremities upon matters of form. I would also respectfully press upon your Lordship the assurance that the idea of the character is that of respectful report, not of solicitation, or petition; and regard being had to the lofty tone assumed by all Asiatic Powers; to the particular genius of this language and government; to its strangeness to foreign intercourse; and, above all, to the fact, that it is the manner of address used by native officers, even of the third rank; I cannot but hope that I shall be excused for determining not to continue the interruption of the public communications in a moment of crisis (with the trade actually stopped, and with other serious evils impending) upon such a ground as that.

The next point I have to notice in my own correspondence with the Governor, is the request that he would command the officers who might be employed in the duty of dismissing these boats from the river to accompany me to their ordinary place of anchorage. I advert to this subject, because it has been put prominently forward in the torrent of censure which has been poured upon me through the medium of the Canton newspapers. My Lord, I requested his Excellency to let the officers place themselves in communication with me, because I was not without reason to believe that some of the thoughtless people in those vessels might be contemplating the forcible opposition of the authority of this Government; and I hoped that my presence in my own boat would prevent such dangerous absurdity. But assuming for a moment that they had been wild enough to do so, and life had been lost, it was my duty to take every care in my power, that the persons of British subjects (be their crime what it might) did not fall into the hands of the Chinese Government; and it was further incumbent upon me to protect the property of British subjects, guiltless of those illegal practices which had induced the stoppage of the trade, from inconvenience of any description. I was also mainly influenced in this respect, by the desire to establish the general principle, that measures of an urgent nature affecting Her Majesty's subjects, needed the admission of Her Majesty's officers.

The opening of this official communication, forwarded to me by the Foo and Hee, needs a few words of comment. These officers, it will be observed, command me to heed the Governor's edict; and I have enough of experience of the temper of this Government to know, that if I had returned it upon that pretext,

pretext, I should have driven them into one of those impracticable moods of offended dignity, the sure fruit of which would have been the contumelious refusal of all official communication, and an obstinate adherence to their own policy of working out their ends by measures of general pressure upon the whole trade.

I preferred, therefore, to pass it without notice for the present, determining, on the first occasion that the Governor desired to communicate with me on any important subject in the only way by which he knows such communications can reach me, to send a brief note beforehand to the officers, requesting them, for the sake of precision, to signify that they are communicating his Excellency's pleasure, and not their own. I shall at the same time take occasion to hint, that this course will obviate the disagreeable necessity which would otherwise devolve upon me, of returning the edict to his Excellency for correction, pointing out the inaccuracy, and complaining of their own unreasonable adherence to an arrogation of his Excellency's authority, rather than of simple obedience to his commands. With the essential point in my hand, I felt that it would be unwise to risk its complete accomplishment by difficulties upon what I am well aware are the mere tricks of wordy assumption, so characteristic of Chinese negociation, and which I can set to rights without hazard on some future and more favourable occasion.

Neither did I object to receive the Governor's assent to the principle, that all communications of importance must be forwarded through the officers, in an answer addressed to the Senior Hong Merchant; because I sincerely felt that his Excellency had made as much of substantial concession for the present, as a functionary in his station could venture upon, without the express orders of his Court. And after what had been gained, I perceived how necessary it was to refrain from exciting the ready feeling, that to grant anything, is only to feed the spirit of demand.

I hope, my Lord, that this attainment of direct official communication between the two countries will, on the whole, be satisfactory to Her Majesty's Government. It is the first permanent intercourse of the kind which has ever existed between this ancient Empire and the Western world; and with the rule plainly admitted, and the countenance of Her Majesty's Government, prudent and watchful officers will, I trust, find it less perplexing to improve and extend the manner, than it has been to establish it.

I have, &c.

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 1 in No. 137.

Mr. James Innes to E. Elmslie, Esq, Secretary to Her Majesty's Superintendents.

Sir, *Canton, December* 7, 1839.

I HAND you in an attested copy of the protest against the Co-Hong, I verified before you an oath last night, and its attendant list.

I beg that you will place both in the possession of Her Majesty's Chief Superintendent at Macao, in case of the parties, whose property is in peril, being disposed to look for redress through the intervention of the British Government.

I served on Howqua's confidential purser with my own hand, last night, the principal documents of which inclosed is a true copy; and a Chinese translation of the protest, made out by Mr. Morrison, accompanied the other papers.

I beg the favor you will acknowledge receipt, and I remain, &c.,

(Signed) JAMES INNES.

Inclosure 2 in No. 137.

PROTEST.

Canton, December 6, 1838.

KNOW all men, by these presents, and more particularly do you, Howqua, Mowqua, &c., called the Co-Hong, understand, that you, having threatened to

break down and unroof the house I dwell in, one Creek factory; be it known to you, that the goods, per list and valuation attached, are the property of the parties therein named; and should you, by breaking down my factory where they are deposited, lead to loss, robbery, or destruction of the property, I, on the part of the owners, hold you liable, jointly and severally, for the value as stated in the list sent. The sum at peril is, sterling pounds, 23,370 *l.* 13 *s.* 9 *d.*, equivalent to Spanish dollars, 101,981.

I furnish a copy of the list, valuation, and of this protest to Her Majesty's Superintendent at Macao, for the information of the British Government.

A true copy, served in Chinese and English on Howqua.

(Signed) JAMES INNES.

James Innes makes oath and declares the annexed to be a true and correct list of goods in his custody, as mentioned in the above protest.

(Signed) JAMES INNES.

Before me, this sixth day of December, 1838, at Canton, in China.

(Signed) EDWARD ELMSLIE,
Secretary and Treasurer to the Superintendents.

[Here follows the list of goods.]

Inclosure 3 in No. 137.

Captain Elliot to Mr. James Innes.

Her Majesty's Cutter, Louisa,
At anchor in Whampoa Reach,
December 11, 1838.

Sir,

YOUR protest against the steps lately menaced in your respect by the Hong merchants, has been duly submitted to me; and I need hardly observe, that Her Majesty's Government would, of course, hold the Government of this Empire responsible for any violence committed on your person or property, except such as should be lawfully ordered by the proper authorities of this province, upon clear proof of the allegations against you.

In connexion with this part of the subject, I seize this occasion to express my sincerest gratification that these rash threats were met by the general body of the foreign community with becoming firmness, and yet calmly and judiciously. Neither can I withhold a tribute of respect towards the unfortunate and goaded Hong merchants, for their early return within the influence of a better spirit. Turning now to other points, I consider myself called upon, after the most attentive reflection, to counsel and enjoin you forthwith to place yourself in communication, either with the Governor directly, or with the Co-Hong, for his Excellency's information, as you may judge best, setting forth your request that all immediate proceedings, on account of this matter, against all parties whatever, should be stayed; and expressing your readiness to conform to any decision which the officers of your nation may take, after full examination of the charges against you.

And I now formally and unreservedly hold myself responsible, as Her Majesty's officer, for all loss or detriment which may be occasioned by the effect of any unsustainable decision of mine, either upon your own interests or property, or upon those of any other parties intrusted to your management.

I entertain a persuasion that you will not need any assurance of the perfect sincerity of my dispositions to end this matter in a manner which may be most conducive to your well understood interests; and above all, to what you will consider to be of paramount importance; namely, to your continued fair standing in the estimation of that class of people to which you belong by birth, and feeling, and education.

I am almost in the certainty, and I do not speak lightly, that the protraction of the present state of things will be attended with very disastrous consequences, for which no triumph or no advantages of any nature could ever compensate you; but which, at the same time, I feel bound to record my deliberate conviction would be morally chargeable upon you, if you persist in rejecting all reasonable modes of ending the actual condition of difficulty.

I do

I do conjure you, Sir, in anxious terms, timely and wisely to withdraw yourself from a very unsuitable position. And I perceive no more becoming mode of effecting that object, than the one which I have now submitted to you. It makes the case, to all intents and purposes, the case of Her Majesty's Government; and if wrong be done, either by the provincial authorities, or by myself, effectual means of redressing it will always remain to be used.

I have, &c.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 4 in No. 137.

Mr. James Innes to Captain Elliot.

Sir, *Canton, December* 12, 1838.

I THIS forenoon had the honour to receive your letter of the 11th of December, 1838.

I shall take into consideration the purport of your communication, and, on advising with my friends, let you know my resolution.

I have, &c.,

(Signed) JAMES INNES.

Inclosure 5 in No. 137.

Mr. James Innes to Captain Elliot.

Sir, *Canton, December* 13, 1838.

I HAVE been duly honoured with your letter of the 11th instant (as acknowledged yesterday by me), and I feel particularly obliged by your consideration for me and my interests; yet, all things considered, I do not feel myself in a position to avail of your proffered services, not doubting you will be too happy to be freed from the trouble, provided matters are arranged so that the Coolies are safe and free from torture, and the trade no longer obstructed on my account.

I have, &c.,

(Signed) JAMES INNES.

Inclosure 6 in No. 137.

Captain Elliot to Mr. James Innes.

Sir, *Canton, December* 13, 1838.

I HAVE to acknowledge your letter of this day's date.

It would certainly be more agreeable to me not to interpose at all on this occasion, supposing (I use the freedom to avail myself of your own language, for the sake of clear mutual understanding) that the Coolies are safe and free from torture, and that the trade is no longer obstructed on your account.

A direct application from the Provincial Government upon the subject, would necessarily change my position in this respect.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 7 in No. 137.

Observations made by Captain Elliot at a General Meeting of all Foreign Residents at Canton, assembled in the British Hall.

Canton, December 17, 1838.

CAPTAIN ELLIOT observed that the events of last week must have necessarily engaged the anxious consideration of the whole foreign community in China, and he might therefore wave any forms of excuse for trespassing

upon their attention. To the other foreigners, who had done him the honour to attend the meeting, he had, in the first place, to return his sincere and respectful thanks for the countenance they had afforded his own countrymen in the firm and judicious resistance which had been made to the menaced destruction of Mr. Innes's house; and he begged the whole meeting to assure themselves that he regarded the outrage upon their feelings, by the attempted execution of a criminal before their doors, with the same feelings of indignation by which they had been excited.

Seeking, however, for the immediate source of this critical interruption of the usual course of events, he felt bound to say that he found it in the existence of an extensive traffic in opium, conducted in small boats upon the river. The present results of that traffic should be shortly stated and considered; the actual interruption of the legal trade; the seizure and imminent jeopardy of innocent men; the daily exposure of every native connected with the foreigners to similar disastrous consequences; the life and property of the whole foreign community at the mercy of an immense mob for the space of at least two hours; the distressing degradation of the foreign character; the painful fact that such courses exposed us more and more to the just indignation of this Government and people, and diminished the sympathies of our own: of its futurity it might be safely predicted that it would fall into the hands of the reckless, the refuse, and probably the convicted, of all the countries in our neighbourhood. Attentively considering these and other points, Captain Elliot felt that it became him to explain the course which it was his purpose to pursue, with the view to the re-establishment of a safer and more creditable condition of circumstances. He should forthwith serve a notice upon the boats in the river, to the effect, that if they were British owned, and were either actually or occasionally engaged in the traffic, they must proceed outside within three days, and cease to return with any similar pursuits; that failing their conformity with these injunctions, he should place himself in communication with the Provincial Government, and frankly and fully express the views of his own upon the necessary, and perfectly admissible treatment of so serious an evil. He could not, however, help indulging the hope that the general reprobation of the whole community would have the effect of relieving him from the performance of a duty on many accounts extremely painful to him. And Captain Elliot concluded by anxiously conjuring the community to lend him their hearty support and co-operation on the present occasion. To the other foreigners present, he would use the freedom to observe, that he was the only agent in this country whose pursuits were unmixedly public; and so long as he was advocating the principles of truth and justice in our relations with this Government and people, he might take the liberty to say that he was, in some sense, the representative of their honoured countries as well as of his own.

(Signed) EDWARD ELMSLIE,
Secretary and Treasurer.

Inclosure 8 in No. 137.

Public Notice to Her Majesty's Subjects.

I, CHARLES ELLIOT, Chief Superintendent of the Trade of British Subjects in China, moved by urgent considerations immediately affecting the safety of the lives and properties of all Her Majesty's subjects engaged in the trade at Canton, do hereby formally give notice and require, that all British owned schooners, cutters, and otherwise rigged small craft, either habitually or occasionally engaged in the illicit opium traffic within the Bocca Tigris, should proceed forth of the same within the space of three days from the date of these presents, and not return within the said Bocca Tigris, being engaged in the said illicit opium traffic.

And I, the said Chief Superintendent, do further give notice and warn all Her Majesty's subjects engaged in the aforesaid illicit opium traffic, within the Bocca Tigris, in such schooners, cutters, or otherwise rigged small craft, that if any native of the Chinese Empire shall come by his or her death, by any wound feloniously inflicted by any British subject or subjects, any such British subject or subjects, being duly convicted thereof, are liable to capital punishment, as if the

the crime had been committed within the jurisdiction of Her Majesty's Courts at Westminster.

And I, the said Chief Superintendent, do further gave notice and warn all British subjects, being owners of such schooners, cutters, or otherwise rigged small craft engaged in the said illicit opium traffic within the Bocca Tigris, that Her Majesty's Government will in no way interpose if the Chinese Government shall think fit to seize and confiscate the same.

And I, the said Chief Superintendent, do further give notice and warn all British subjects employed in the said schooners, cutters, and otherwise rigged small craft engaged in the illicit traffic in opium within the Bocca Tigris, that the forcible resisting of the officers of the Chinese Government in the duty of searching and seizing, is a lawless act, and that they are liable to consequences and penalties in the same manner as if the aforesaid forcible resistance were opposed to the officers of their own, or any other Government, in their own, or in any foreign country.

Given under my hand and seal of office, at Canton, this eighteenth day of December, in the year of our Lord one thousand eight hundred and thirty-eight.

(L. S.) (Signed) CHARLES ELLIOT,
Chief Superintendent of the Trade of British Subjects of China.

Inclosure 9 in No. 137.

Captain Elliot to the Governor of Canton.

Canton, December 23, 1838.

THE Undersigned, &c., &c., deliberating on those serious risks to which the lives and properties of many innocent men, both natives and foreigners, are exposed, considers that it his duty respectfully and plainly to lay his thoughts before your Excellency.

Seeking for the immediate source of this dangerous state of things, he finds it in the existence of an extensive opium traffic, conducted in small craft within the river.

From one condition of undisturbed lawlessness to another, and still more hazardous, the course is sure and rapid.

Illegalities will be committed, and more frequently the difficulty of distinguishing between the right and wrong, will daily become more difficult; violent affrays will be of constant recurrence; life, and probably the life of innocent men, will be sacrificed; some general catastrophe will ensue; and there will be employment, profit, and impunity for none but the reckless and the culpable.

The Government of the British nation will regard these evil practices with no feelings of leniency, but, on the contrary, with severity and continual anxiety; in proof of this, the Undersigned has now to acquaint your Excellency that he has already, on the 18th day of this month, formally required all boats (owned by British subjects) engaged in this traffic, to leave the river within three days.

He cannot faithfully declare that these injunctions have been fulfilled; and he has therefore now to request that your Excellency will signify your pleasure, through the honourable officers, the Kwang Chow Foo and Kwang Hee, so that all those concerned in these pursuits may know that he has received your Excellency's authority for this notice.

The Undersigned is without doubt, that the continuance of this traffic in the inner waters will involve the whole foreign community at Canton in some disastrous difficulty; and his gracious Sovereign would not interpose for the protection of their property, on the behalf of those British subjects who continue to practise these dangerous disorders, after your Excellency's public warning shall be authentically made known to them through the officers of their own nation.

It is further to be desired that your Excellency would command the honourable officers who may be employed on this occasion to proceed to the station of the boats with the Undersigned, in order that the peaceful and well-disposed may not be involved in the same consequences as the perverse.

He can assure your Excellency that he has not requested that the communi-

cations should be forwarded through the honourable officers from any vain or idle pretensions on his own part, but only that he may be able to impress on his own countrymen, in cases of emergency, that he is acting at your Excellency's requisition, that his representations may be more effectual, and that his own Government may see he has had proper authority, as well as urgent occasion, for his proceedings.

Neither does the Undersigned desire to trouble your Excellency upon trifling affairs. So soon as the intercourse is renewed, all such matters can be conducted between the official Hong merchants and himself, agreeably to your Excellency's further arrangements.

Influenced by motives of solicitude for the character of his country, and the general protection of the interests of a good trade, the Undersigned feels it right to submit his own views to your Excellency of this moment; and he has, therefore, used the character "*Pin*" in this address; but he requests your Excellency to signify, through the honourable officers, that it is a mode of address used by native officers, even of the second rank, so that it may be seen by the Government of his own country that he has acted upon admissible principles.

He can assure your Excellency that there is no disposition to press inconvenient charges on the Government of the Empire, but only such modifications as are needful for the conduct of authentic intercourse, so that peace and honourable trade may always subsist.

The Undersigned, in conclusion, respectfully, but very earnestly, entreats your Excellency to pardon the two Coolies who were lately apprehended in the act of landing opium belonging to Mr. Innes. Clear as it is from the declaration of that gentleman, that these poor men were ignorant of the contents of the boxes, their present unhappy condition is a distressing reflection.

Your Excellency's clemency on this occasion would be grateful to the Government of the British nation, and to the whole foreign community in China.

The Undersigned avails himself of this occasion to renew to your Excellency the sentiments of his highest consideration.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 10 in No. 137.

The Prefect and Commandant of Canton, jointly, to Captain Elliot.

CHOO, the Prefect of Kwang-Chow-Foo, and Han, Commandant of the same department, jointly issue commands to the English Superintendent, Elliot.

On the 25th of December, 1838, they received from the Governor of Kwangtung and Kwangse Tang, the following official document: —

"I received, on the 23rd of December, the subjoined address, from the English Superintendent Elliot.

[*The address of December* 23 (*Inclosure* 9) *is here inserted.*]

"Upon receipt hereof, the document being authenticated, I have given it due consideration.

"The said Superintendent came, I find, to Canton, in obedience to commands received from his Sovereign, to exercise controul over the merchants and seamen; to repress the depraved, and to extirpate evils. Having such commands given to him, he must needs also have powers. It is very inexplicable, then, that these boats having, in violation of the laws, entered the river, he should now find it difficult to send them out again, owing to his not having the confidence in all.

"But seeing that he has now addressed me as above, and that in his address he has plainly stated, that the Government of the British nation will regard these evil practices with no feelings of leniency, but, on the contrary, with severity and continual anxiety; seeing this, it is clear that he yet has a distinct understanding of his duty as a represser of the evil and protector of the good. Nor has he sought to excuse the difficulty he has met with by pleading inability

inability. It is not, then, befitting in me to adhere obstinately to the letter of the law, and so isolate him from the object for which he has come hither.

"The request is therefore granted; and the Prefect and Commandant of Kwang Chow shall be directed, in the adoption of modified measures suited to the occasion, to give you sealed commands, so that you may have authority for proceeding in obedience thereto. But hereafter, in any affairs wherein you are concerned, commands shall continue to be received through the medium of the Senior Hong merchants. The present measure must not be drawn forward as a precedent.

"The Superintendent aforesaid must faithfully order away every one of the said boats, and must never permit them to return. Should any dare perversely to disobey or make sport of his commands, he is authorised instantly to represent the case, that proceedings may be thereon taken.

"I, the Governor, having under my sway the whole land of Yue, and having on occasions to make most vigorous exercise of power, it may well be conceived that these boats trouble me not one iota.

"As soon as these boats shall have sailed, the merchant ships may at once have their trade re-opened as usual. There has been no intention to cause any protracted stoppage of it; and there is therefore no ground for anxiety on that point.

"With reference to documents presented by foreign countries to officers of the Celestial Empire on any affairs, all others are required to use the term *Pin*. This is one of the fixed statutes regarding intercourse between the central and foreign nations, and a rule, therefore, which it is in an especial degree impossible to overleap. The Superintendent aforesaid not being a blind and unenlightened man, how can he plead ignorance of this? Besides, the Sovereign of his nation has ever been reverentially compliant; and if you, a subject and servant of that Sovereign, show that you indeed estimate the sentiments felt, and carefully and diligently fulfil your duties conformably to them, you will receive a high meed of praise. How can your well-doing be found fault with as being wrong? On this point also the said Superintendent need give himself no anxiety.

"As to the two offenders, Lew Aying, and his fellow, they are natives of the land, and it having been clearly proved and recorded that they, in compliance with Innes's desire, took a letter and received opium, they have been sent for final trial to the Commissioner of Justice. The care and intelligence exercised by the Celestial Empire in the infliction of punishments, insure a correct judgment in regard to their offence, so that they may neither suffer oppression nor obtain impunity. It is not necessary, therefore, to beg any favour for them.

"Besides requiring the senior Hong merchants, Howqua, &c., to proceed, in the first place, to enjoin on the said Superintendent these commands, that he may know them, I also issue these instructions to the Prefect of the Department, that he may forthwith proceed, in concert with the Commandant of the same Department, to give sealed commands, directing the said Superintendent Elliot to act in obedience hereto. He must direct that the foreign boats of all nations, every one of them, leave the river within three days, and he must not allow them to linger thereafter for a single instant. Should any offer resistance, he must, on the one hand, expel them with severity, and, on the other hand, make representation that measures may be taken in consequence. Let him also be directed, for the future, to give pressing attention to the duty of restraining the foreigners of every nation, and of preventing boats and ships from bringing opium, or other prohibited commodities, into the river. The small boats for the conveyance of letters, when entering and going out, must also conform to the established rules, by stopping to be examined at the Custom-House stations which they pass. He must not suffer them to resist this regulation, lest they be expelled altogether. Be earnest and speedy! earnest and speedy!"

The Prefect and Commandant, having received this document, proceed to give commands, which, when the said Superintendent Elliot receives, he must forthwith conform to. He must direct that the foreign boats of all nations, every one of them, leave the river within three days; and he must not allow them to linger thereafter for a single instant. Should any offer resistance, he must, on the one hand, expel them with severity, and, on the other hand, make representation, that measures may be taken in consequence. He must also, for the future, give pressing attention to the duty of restraining the foreigners of

every nation, and of preventing boats and ships from bringing opium, or other prohibited commodities, into the river. The small boats for the conveyance of letters, when entering and going out, must also conform to the established rules, by stopping to be examined at the Custom-house stations which they pass. None must resist this regulation, lest they be expelled altogether. Oppose not these my commands.

Taoukwang, 18th year, 11th month, 10th day (26th December 1838.)

(L.S.) of the Kwang-Chow-Foo.
(L.S.) of the Kwang-Chow-Hee.

True Translation.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 11 in No. 137.

Captain Elliot to the Governor of Canton.

Canton, December 28, 1838.

ELLIOT, the English Superintendent, has the honour to address his Excellency the Governor, &c., and to offer his thanks for the communication of the 26th instant through the honourable officers, the Foo and Hee.

By these means he will be enabled to obtain the confidence of all in his authority for acting; to put into effect your Excellency's great and wise desire to remove the evil and quiet the well-disposed; and to bring to an end all those irregularities (so far as his own countrymen are concerned) which have disturbed the tranquil state of trade and the conduct of affairs.

It remains for him, however, to draw two or three points under your Excellency's further consideration.

The grounds whereon the Undersigned has ventured to use the word "*Pin*" on his addresses are these alone:—that by the rules of the Celestial Empire, all subordinate officers make use of the word in their addresses to superior officers, and that it is reasonable that he should conform to such usage.

With reference to your Excellency's direction, that hereafter, in any affairs wherein he is concerned, commands shall continue to be received through the medium of the senior Hong merchants, it would be his duty at once to conform to this, were he not apprehensive that there may be affairs of importance, on which he must continue to request instructions in reply to his addresses, through the medium of the honourable officers. The Undersigned, looking not merely to the passing moment, but anxiously seeking to set matters on a stable and permanent footing, feels it for this reason necessary to renew this request, in regard to matters of importance, seeing that such a mode of communication must be essential to his being placed in a position to act.

To this end he has again troubled your Excellency, &c.

(Signed) CHARLES ELLIOT.

Inclosure 12 in No. 137.

The Governor of Canton to Captain Elliot.

TANG, Governor of Kwangtung and Kwangse, &c. &c., commands the Hong merchants, Howqua, Mowqua, and Pankequa, to make themselves fully acquainted with the contents hereof.

On the 28th of December, 1838, the English Superintendent, Elliot, laid before me the subjoined address.

[*The address of December* 28 (*Inclosure* 11) *is here inserted.*]

This address appearing before me, and being authenticated, I have given it due consideration.

The Superintendent aforesaid had already, on a recent occasion, addressed me in reference to the boats delaying to leave the river, and the difficulty he found

found in requiring their departure, and had solicited commands through the Prefect and Commandant, in order that he might have authority for his proceedings. I, the Governor, seeing that his request was dictated by a desire to remove the bad and protect the well-disposed, did therefore break through the rules, and assent to what he solicited.

With reference to the matter of his present address, as above stated, when hereafter there shall be any really important matter, wherein it may be requisite for the said Superintendent to act in concert, it will of course be fitting to make an arrangement requiring the Prefect and Commandant aforesaid to give him directions. For such matters as are of an ordinary nature, the old regulations still subsist, and, in conformity with them, commands must still be received through the medium of the senior Hong merchants. The Superintendent aforesaid must not indeed, in opposition to these regulations, make any idle requests. I, the Governor, being intrusted with the scales of Government, can by no means make the established ordinances of the Celestial Empire adapt themselves to the requests of men.

With reference to the boats aforesaid, which have so trifled with the laws as still to protract their stay, the Superintendent has not, in his address, stated what measures he has, in accordance with my commands, adopted for their expulsion, or whether they have yet sailed or not.

I proceed to issue these commands to the senior Hong merchants aforesaid, requiring them immediately to make faithful inquiry on this point, and to report the result, that I may determine accordingly. At the same time, let them enjoin my commands on the said Superintendent, for his information. Oppose not these my commands.

Taoukwang, 18th year, 11th month, 13th day (29th December, 1838.)

True Translation.

(Signed) J. Robt. Morrison,

Chinese Secretary and Interpreter.

Enclosure 13, in No. 137.

Official Notice to Her Majesty's Subjects.

Circular, *Canton, January* 1, 1839.

THE Chief Superintendent has to announce, that the senior Hong merchant has reported the commands of the Government to re-open the trade.

By order of the Chief Superintendent,

(Signed) EDWARD ELMSLIE,

Secretary and Treasurer to the Superintendents.

Enclosure 14, in No. 137.

Official Notice to Her Majesty's Subjects.

Canton, December 31, 1838.

THE Provincial Government having consented to communicate direct with the Chief Superintendent on all important business, under the seals of the Kwang-Chow-Foo and Kwang Hee, he has the honour to announce to Her Majesty's subjects, that the public intercourse is renewed. And as there appears to have been some misunderstanding with respect to the manner in which his own addresses reach the Governor, he has to observe, that it had already been formally conceded that his seals should always be broken by his Excellency himself.

The paper marked No. 1, is the copy of that part of the Chief Superintendent's late correspondence with the Governor, relating to the traffic in opium conducted in small boats within the river. No. 2 is his Excellency's reply to those observations.

Her Majesty's subjects will perceive, that the motives and reasons which had led the Chief Superintendent so urgently to enjoin the immediate cessation of this state of things, are identical with those which form the ground of his address to the Governor.

After the most deliberate reconsideration of this course of traffic (which he heartily hopes has ceased for ever) the Chief Superintendent will once more declare his own opinion, that in its general effects, it was intensely mischievous to every branch of the trade; that it was rapidly staining the British character with deep disgrace; and, finally, that it exposed the vast public and private interests involved in the peaceful maintenance of our regular commercial intercourse with this empire, to imminent jeopardy.

Thus profoundly impressed (and after the failure of his own public entreaties and injunctions), the Chief Superintendent feels that he would have betrayed his duty to his gracious Sovereign and his country, if he had hesitated beyond the period he had formally fixed, effectually to separate Her Majesty's Government from any direct or implied countenance of this dangerous irregularity. Looking steadily at its effects on British interests and British character, he had further resolved to shrink from no responsibility in drawing it to a conclusion; and he will as firmly use all lawful means in his power to prevent its recurrence. It is a source of great support to him, that the general body of the whole community, settled at Canton, strongly concur with him in the deprecation of this peculiar mischief; and he has not failed to afford Her Majesty's Government the satisfaction of knowing that such is the case.

He takes this occasion to republish that part of the Act of Parliament and the Orders in Council, upon which his instructions are founded. And whilst he would respectfully observe, that it is out of his power to publish his instructions, it is at the same time his duty to promulgate (as he has always done, and always will) whatever it may concern the interests of Her Majesty's subjects should be generally known.

In declaring, therefore, that Her Majesty's Government will give no countenance whatever to proceedings of the kind which he has now been noticing, he requests it may be plainly understood, that he is conveying the unequivocal sentiments of his instructions. Events, over which he had no controul, have cast on this occasion a difficult task on the Chief Superintendent; and devoting the most attentive consideration in his power to its suitable performance, he can only aver that he has meant to do no more than his duty, but certainly no less.

In the execution of such an office as his own, however, when decisions must almost always be taken in moments of crisis, surrounded by embarrassing circumstances, the possibility that illegalities may be committed (with the sincerest intentions to avoid them) is not to be denied. It is only just, therefore, to remind Her Majesty's subjects, that the 9th Clause of the Act of Parliament has provided the manner of pursuing their legal remedy. His official responsibility can always be fixed upon him by representation to the Secretary of State for Foreign Affairs, to whom it is the Chief Superintendent's duty to transmit all complaints or appeals against himself.

By order of the Chief Superintendent of the Trade of British subjects in China.

(Signed) EDWARD ELMSLIE,

Secretary and Treasurer to the Superintendents.

No. 138.

Captain Elliot to Viscount Palmerston.—(*Received May* 13, 1839.)

My Lord, *Canton, January* 2, 1839.

ON the occasion of transmitting these despatches I venture to address your Lordship a few words in a private shape. I would, with great deference, take the liberty to observe, that when I assumed this office recent Imperial commands were in existence (specially pointed at the British nation) to the effect that no foreign officers should reside in this Empire. That chief obstacle has been removed; and if what has since been accomplished seems for the present to carry no considerable change in point of form, it nevertheless involves a principle of great and comprehensive importance, namely, a permanent and direct official intercourse between the two countries. I shall offer no further excuse for the moderate manner in which I have been content in the present emergency to accept this concession, because I am sure your Lordship will make every allowance for the difficulty of peacefully extracting any formal relaxation from this watchful government; above all, relaxation upon the subject of constant official relations with foreign Powers, which it has hitherto been the especial spirit of Chinese policy to avoid.

These observations, my Lord, may perhaps serve to excuse the respectful request I have now the honour to prefer. I humbly hope that Her Majesty's Government (taking into its consideration the novel, responsible, and undefined station I fill, and casting a thought upon the many embarrassing circumstances which have beset me) would be pleased to determine whether I have a claim to such an expression of support, as I may be permitted to publish to the Queen's subjects in this empire.

There is certainly a spirit in active force amongst British subjects in this country, which makes it necessary, for the safety of momentous concernments, that the officer on the spot should be known to stand without blame in the estimation of Her Majesty's Government; and it is not less needful that he should be forthwith vested with defined and adequate powers for the reasonable controul of men whose rash conduct cannot be left to the operation of Chinese laws, without the utmost inconvenience and risk, and whose impunity is alike injurious to British character and dangerous to British interests.

It is my deliberate conviction, that the security of the China trade, and the maintenance of our peaceful intercourse with this empire, depend upon the early attention of Her Majesty's Government to this subject; and I take this occasion to repeat, that the assent of the Chinese Government to institutions of this kind is beyond all doubt; indeed, your Lordship will perceive from the Governor's answer to my note of the 23rd ultimo, that he supposes they either actually are in existence, or, at all events, that they ought to be.

It may be thought that it would be easy to place this point beyond dispute, by addressing his Excellency specially upon the subject; but I take the liberty to observe, that in the absence of the necessary machinery, that course would be injudicious, for the Governor would immediately suspect that something more was intended than the mere permission to exercise functions which it will be difficult enough to make him understand need the sanction of any other Government than our own.

Your Lordship may be assured that the theory is, even when they demand a man in the case of a homicide, that we have already tried and convicted him according to the forms of our own laws. I hope it will not be thought intrusive if I mention that I have recently had a conversation with Howqua upon this point, on which occasion I explained as carefully as I could, your Lordship's reasoning in the debate in the House of Commons on the China Courts Bill. He concurred in every word that was said, and particularly in the inexpediency

of drawing the subject under the attention of this Government, till all things were ready to go into operation. It was a source of the greatest surprise to him that the Bill had been mainly arrested in its progress by Sir George Staunton's objections; and I found it hopeless to make him admit that he understood the objects of Sir George's amendment. He referred me with earnestness to the requests which had been made before the Company's monopoly was abolished, to make provision for the government of Her Majesty's subjects; and he desired to know what more was wanted, and how it was possible to preserve the peace, if all the English people who came to this country were to be left without control? He further entreated me to remind "my nation's great ministers," that this Government never interposed, except in cases of extreme urgency, upon the principle that they were ignorant of our laws and customs, and that it was unjust to subject us to rule made for people of totally different habits, and brought up under a totally different discipline. I must confess, my Lord, that this reasoning appears to me to be marked by wisdom and great moderation, and at all events, convinced as I am that the necessity of controul, either by British or Chinese law, is urgent, I would most respectfully submit these views to the attentive consideration of Her Majesty's Government. My own anxiety on this subject will be more explicable, when I inform your Lordship, that till I am differently instructed, I should hold it to be my duty to resist to the last, the seizure and punishment of a British subject by the Chinese law, be his crime what it might; and crimes of the gravest character have lately been of every day probability.

In fact, my Lord, if Her Majesty's officer is to be of any use for the purposes of just protection, if the well-founded hope of improving things honourable and established is not to be sacrificed to the chances which may cast up by goading this Government into some sudden and violent assertion of its own authority, there is certainly no time to be lost in providing for the defined and reasonable controul of Her Majesty's subjects in China.

I could not have concealed these opinions without betraying my duty to Her Majesty's Government and the British public.

I have, &c.,
(signed) CHARLES ELLIOT.

No. 139.

Captain Elliot to Viscount Palmerston.—(*Received May* 13, 1839.)

My Lord, *Macao, January* 8, 1839.

WITH reference to my Despatch of December 2 of last year, covering a Memorial from certain British creditors on the Hong merchants (a subject to which I have been prevented from returning at an earlier moment by other pressing business), I now take the liberty to submit a few remarks to your Lordship's consideration.

It will disquiet Her Majesty's Government and the British commercial community connected with this country, to learn that the new assessments for the adjustment of these claims, will burden the foreign commerce with additional charges, probably not at all understated at a million of dollars per annum. As yet, however, the whole extent of taxation on this vast trade is comparatively considered moderate: but this practice of leaving the recurring claims of foreign creditors to be met by reiterated and disproportionate duties (rated solely by the native debtors) on all the principal articles of the legal trade, both outwards and in, certainly demands the serious attention of Her Majesty's Government.

An open trade upon our side with such an association as the Co-Hong on the other, must always be a very unfortunate state of things to ourselves. But at all events, even so long as that mischief subsists, I believe that the interests of this trade would be protected by the concession of what it is only a delusion, to call, the guarantee of this Government for the payment

payment of the Hong debts. In its practical application, that form of words is nothing else than a device for saddling the foreign commerce with all the heavy consequences of most imprudent trading on both sides, with all the losses occasioned by incapacity or extravagance upon the part of the Hong merchants; and if I may be pardoned for using the significant jargon of the place, with all the "squeezes" which the local Government can upon any pretext fasten upon the Co-Hong. The Consoo fund in fact is the fountain from which the multifarious channels of drain on the foreign trade are directly supplied. And yet with the late assistance there can be no doubt that it will leave a handsome annual surplus to be divided amongst the Hong merchants after every foreign claim, every payment to the Government, just or unjust, and every expense of their respective trading establishments, are fully met

The mode of remedy which has suggested itself to me, is a direct application to the Court on the part of Her Majesty's Government. I would submit that the altered state of circumstances on our side should be plainly explained, and that a request should be made for the very considerable extension of the number of persons licensed to trade with us: Her Majesty's Government upon its part consenting to give up all direct claim upon the Chinese Government for the future payment of foreign debts on a single condition, namely, that special orders should be issued by the Emperor to the authorities at Canton to apprehend and punish any native debtors who attempted to defraud their foreign creditors.

A change of this nature would immediately induce a cautious adherence to safe principles of trade on both sides; and hence that confidence arising from attentive observation of each other's means and prudence, which has been found to be the best support of commercial stability in all parts of the world. It may be possible indeed that some few cases of successful fraud might happen, but I perceive no reason to believe that they would be more easy or frequent on the side of the Chinese, than our own.

Indeed, the more natural and healthy consequence would be to adjust the trade on either side into those convenient proportions, limited by men's interested, and therefore acute judgment, of the extent to which it would be prudent or profitable to do business with each other.

The establishment of some simple and efficacious civil jurisdiction would no doubt be a necessary accompaniment of this change of system, and your Lordship may, I think, rely that the Chinese would readily refer all contested points with Her Majesty's subjects to this tribunal, either placing the disputed sum in deposit, or at least giving security that it should be paid, if the decision were adverse to them.

I offer these opinions, because I am sure the Chinese have great confidence in the good faith of the Europeans, and because too, I believe they are, in many important respects, the most moderate and reasonable people on the face of the earth. Seeking nothing but justice (and no people are more capable of clear perceptions upon the reality of what they receive under that name), I am persuaded that they will have the good sense, for the sake of mutual convenience, to take it at our hands; regarding, indeed, the form under which it is administered to them, with feelings of perfect indifference.

I would, in conclusion, beg your Lordship to remark that these views upon the extreme mischief of the actual mode of settling foreign claims are neither novel nor peculiar to myself. In the year 1779, when Captain Panton, of the *Sea Horse*, came to China by the order of Sir Edward Vernon, for the recovery of debts due to certain British creditors, I find the supercargoes clearly predicting the institution of this Consoo tax, and all the evil consequences, both immediate and prospective, which must ensue.

"By such a mode," say they, "and we think by such a mode only, an annual sum may be funded to discharge so much of the present debt as the Mandarins shall decree to be just."

When Captain Panton declined to correspond with them on the subject, they protested against Sir Edward Vernon and himself for all losses, &c., &c., which his proceedings might occasion; and the result of his interference verified

their worst apprehensions, for in the next year the Consoo system was established to the great and lasting injury of this trade.

Throughout the subsequent course of the Company's monopoly, their servants here on the several occasions of embarrassment amongst the Hong merchants, put forward the same just arguments, and Her Majesty's Government will readily admit, that if the system were dangerous to the interests of the East India Company, it must be intensely more so to those of the general and open trade.

The Agents upon the spot will always and naturally be anxious to have their immediate difficulties solved; and the future consequences on our permanent commercial interests in this empire are little likely to bear down that consideration.

I shall transmit to your Lordship an authentic statement of the new assessments as soon as it can be procured; and in the mean time, I once more take the liberty to recommend this subject to the earnest attention of Her Majesty's Government.

I have, &c.

(signed) CHARLES ELLIOT,
Chief Superintendent.

No. 140.

Captain Elliot to Viscount Palmerston.—(*Received May* 18, 1839.

My Lord, *Macao, January* 21, 1839.

THE departure of the ship *William Jardine* from these roads affords me a hurried opportunity to report the tranquil course of the trade since its re-opening on the 31st ultimo.

In the mean time, however, there has been no relaxation of the vigour of the Government, directed not only against the introduction of the opium, but in a far more remarkable manner against the consumers. A corresponding degree of desperate adventure upon the part of the smugglers, is only a necessary consequence; and in this situation of things, serious accidents, and sudden and indefinite interruptions to the regular trade, must always be probable events.

I return to Canton in a day or two from this place, where I had lately repaired for the purpose of making arrangements concerning the crew of a shipwrecked vessel.

I avail myself of this occasion to acknowledge the receipt of your Lordship's despatches of the 2d and 16th of June 1838.

I have, &c.

(signed) CHARLES ELLIOT,
Chief Superintendent.

No. 141.

Captain Elliot to Viscount Palmerston.—(*Received May* 31, 1839.)

My Lord, *Canton, January* 30, 1839.

IN the present sinister aspect of circumstances here, Her Majesty's Government will no doubt desire to receive frequent information from Canton; and I avail myself of the opportunity of a fast ship, to report the uninterrupted course of the regular trade to this date, since its re-opening, announced in my despatch of the 31st December of last year.

The

The stagnation of the opium traffic at all points, however, may be said to have been nearly complete for the last four months. And it is now my duty to signify to your Lordship the expected arrival of a very high officer from the Court, to hold equal rank with the Governor, and specially charged, as I am this day informed by Howqua, with the general conduct of the measures lately determined upon at Peking, for the suppression of the opium trade.

It must also be stated, that the Emperor has recently been advised to command a total interruption of the foreign trade and intercourse, till the introduction of opium shall be effectually stopped; and an edict of great moment, evidently founded upon that policy, has just been issued to the foreign merchants, but not yet to myself. It shall be transmitted to your Lordship as soon as Mr. Morrison has translated it; but it is probable the communication will not be sent officially to me till the arrival of the High Commissioner from Peking, which may be expected in the course of a few weeks.

There seems, my Lord, no longer any room to doubt that the Court has firmly determined to suppress, or, more probably, most extensively to check the opium trade. The immense, and it must be said, most unfortunate increase of the supply during the last four years, the rapid growth of the East coast trade, and the continued drain of the silver, have no doubt greatly alarmed the Government; but the manner of the rash course of traffic within the river, has probably contributed most of all to impress the urgent necessity of arresting the growing audacity of the foreign smugglers, and preventing their associating themselves with the desperate and lawless of their own large cities.

In the excited temper of this extraordinary Government, it would be unsafe indeed, to speculate upon the particular measures they may pursue: but, at least, I am sure that my own altered position, and the course I took last month, with respect to the forced trade within the river, will give much weight to my remonstrances, in any moment of emergency.

Replying to Howqua's suggestions to-day, that such proceedings must be looked for, I said, I earnestly hoped not, because I was persuaded they would be regarded by my own Government to be unjust and hostile in the very last degree. I added, that I should be careful to clear myself of all responsibility, by signifying these convictions to the Provincial Government, in respectful, but most plain terms, directly that it adopted courses so certain, in my judgment, to tend to an interruption of the peace between the two countries. He met this observation by saying, that I had experience enough of the Chinese Government to know that full time would be given before such extreme measures were adopted. I answered, that the lapse of no interval of time could justify aggression upon public and private interests embarked in this lawful trade, by reason of the acts of smugglers, in a high degree encouraged by the chief authorities of these provinces.

He dwelt earnestly upon the manifold mischiefs of the trade, and particularly upon the alarming character of the late inside traffic, asking me what my Government would do under such circumstances? I said, that no such state of things could obtain in England, and he must give me leave to remark three things concerning that part of the subject:—1st. that it no longer subsisted; 2nd. that it had been induced by the venality of the highest officers of this province; 3rd. that it had been put down by the effect of my representations and proceedings, as soon as ever I was in a condition to take steps concerning it.

Whilst such a traffic existed, indeed, in the heart of our regular commerce, I had all along felt the Chinese Government had a just ground for harsh measures towards the lawful trade, upon the plea that there was no distinguishing between the right and the wrong. But I told Howqua, that should never happen again so long as the Governor enabled me to perform my duty; and it could not have happened at all, but for his Excellency's countenance.

I concluded by saying, that I had too much confidence in the justice and wisdom of his Government, to apprehend such measures as he appeared to do, and too much experience of the genius of my own, to doubt that their adoption would be the sure precursor of a rupture.

He anxiously entreated me to press, in my despatches to my Government, on the great and growing danger of this traffic to the lawful trade and peaceful intercourse; and he led me to understand, that some strong official communi-

cation on the subject must be expected as soon as the High Commissioner arrived.

The immediate departure of this ship will be my excuse for a hurried despatch.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 142.

Viscount Palmerston to Captain Elliot.

Sir, *Foreign Office, June* 13, 1839.

YOUR despatches to the 31st of December of last year, and to the 30th of January of this year, have been received and laid before Her Majesty's Government.

With reference to such of these despatches as detail the circumstances which led to an interruption of the trade for a short period in December last, and the steps which you took, in consequence, with a view to the re-opening of the Trade, and to the re-establishment of your official communications with the Chinese authorities, I have to signify to you the entire approbation of Her Majesty's Government of your conduct on those matters. But I have at the same time to instruct you not to omit to avail yourself of any proper opportunity, to press for the substitution of a less objectionable character than the character "*Pin*," on the superscription of the communications which you may have occasion to address to the Viceroy.

I am, &c.,
(Signed) PALMERSTON.

No. 143.

Captain Elliot to Viscount Palmerston.—(*Received June* 26, 1839.)

My Lord, *Canton, February* 8, 1839.

THE inclosure is the Proclamation to foreigners adverted to in my despatch of January 30, 1839. A direct address to the foreigners, by the heads of the Government, (instead of the Hong merchants, for communication to them,) is certainly a remarkable and unusual, though not an unprecedented proceeding; and it furnishes, no doubt, strong evidence of the earnest feelings of the court upon the subject in hand.

It should also be stated, that the senior Hong merchants applied to one of the editors of the Canton prints, for several hundred printed copies of the translation which appeared in his paper, and sent one of each, under their own covers, to the foreign firms. They further declared, that they pursued this perfectly new course at the express command of the Governor.

The period of the Chinese new year has now arrived, when the public offices are closed, and there are general holidays for a week or ten days.

But I have the satisfaction to inform your Lordship, that a large portion of the trade of the season has already been completed since the re-opening of business, reported in my despatch of December 31, 1838; and before the arrival of the High Commissioner from Peking, which is not looked for in less than three weeks, I should hope that the rest will have been dispatched.

The

The stagnation of the opium traffic still continues, and the consequent locking up of the circulating medium is already producing great and general embarrassment.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure in No. 143.

Proclamation of the Governor and Lieutenant Governor of Canton to the Foreign Merchants.

TANG, Governor of Kwangtung and Kwangse, &c., and E, the Lieutenant-Governor of Kwangtung, &c., conjointly issue these orders to the foreign merchants of the several nations, for their full information.

It is well known that the Celestial Court, during the period of two hundred years that it has granted to every nation the privilege of commercial intercourse, has deeply imbued you with its rich benefits, yielding you excellent advantages and without limit. Nor is it possible you can yourselves be ignorant, how much your life or death is herein involved, seeing that the tea and the rhubarb of this inner land are things absolutely necessary to you outer foreigners. Is it not then manifest, that to the Celestial Empire no need existed for a commercial intercourse? while to your several nations, could one day's cessation of such intercourse be sustained? Yet during tens of years past, you have inconsiderately regarded opium as the special means of gaining sure profits; and have, without interruption, continued to bring it hither, and to store it up in your warehousing-vessels; causing depraved Chinese to combine with you in disposing of it, and creating a taste for it among the simple clownish folk, till habitual use has rendered it a constant indulgence, spreading with a rank growth along the borders of the coast, and so pervading every province.

Some, in their animadversions on these things, have supposed that your object and desire, is to exhaust the resources of the central land, and to do hurt to the lives of the Chinese people. Ha! it is forgotten that the Celestial Empire bears in its womb each precious metal; that its coppers are full to overflowing! How can they by such feeble means be ever emptied or exhausted? But be it, that in bringing with you hither this vile thing, you are actuated solely by the desire of amassing gain, yet what feud have the people of this land with you, that you should so be willing to do them mortal injury? Though even gain-seeking desires have cauterized your souls, so that you have given them the rein, fearless and without restraint, yet should you know, that things pushed to extremes must surely meet with a recoil. Thus, that the Celestial Court should one day be roused to fierce indignation, and should, with the utter extirpation of the ingrowing opium, strictly stay also the outgoing of the tea and rhubarb; such is what the laws must surely require; what matters cannot but eventually come to; on no account should you close your eyes to the anxious contemplation of such a contingency.

In times past, edict after edict has been directed against opium; and We, the Governor and Lieutenant-Governor, have often reiterated our commands, and our monitions, to a third, yea, even to a fifth time. But even to the last, gain alone has been your aim, and our words have but filled your ears as the empty wind.

When you would come to Canton to trade, you all assume to yourelves the name of good foreigners. Could any then have conceived of the recent entrance of boats with opium into the river, which has been discovered by repeated seizures, exposing to view all your impish trickery? Can you now yet call yourselves good foreigners, or say that you are pursuing each an honest calling?

At this time, the Great Emperor, in his bitter detestation of the evil habit, has his thoughts hourly bent on washing it clean away. In the capital, he has commanded the ministers of his court to deliberate, and, with severity, to draw up plans for procedure. In the provinces, he has commanded the administrators over his dominions, to enforce vigorously the penalties prescribed by the

laws. His heaven-derived firmness will form its own resolves; and what his will determines, that surely shall be done.

We, the Governor and Lieutenant-Governor, have already in respectful obedience to the Imperial commands, strictly required of each naval fleet, division, and squadron, to draw together their forces; to complete their armaments; and along the central, eastern, and western lines, severally to array themselves in close connexion, for the purpose of secure prevention, so that they pursue and take every lawless boat engaging in the clandestine traffic, and may drive forth all the foreign vessels cruising about. We have also given instructions to each general and regimental division of the land force, that the commanding officers should, at the head of all their subordinates, make search after, and take possession of, every building for the preparation, or for the smoking of opium; as well as seize all criminal parties found selling or inhaling the drug. Thus, having set in operation both the naval and the land forces, and having inspired severity into all, from the head even to the tail, consecutive reports of seizures have been the result, to the number of many hundreds. Those reprobates, who, by the long habituation to the seeking of their purely selfish ends, have acquired a conscience fearless of death, having been severally subjected to a severe trial have been adjudged and punished. The plain evidence hereof is to be found in the cases of the afore executed criminals, Lew Aying and Ho Laukin. Others have been variously subjected to correction. And in consequence of such measures, the minds of all have been greatly affected with a wholesome alarm: and those who have restrained themselves from smoking, and have delivered up their opium pipes, may now be numbered by tens of thousands. Still more numerous too, are they, who, dreading the laws, have, of their own act, cast away their opium, and the instruments for smoking it; as also the depraved reprobates, who, with ruined fortunes, have fled far away for safety. Such are the measures now in operation in Kwangtung, and such the existing visible effects on the popular mind. We have thus carefully and minutely laid them open to you, that you may strive to reflect thereon, that you may consider what a time is this; and what sort of proceedings are these if they leave you any longer room for hope? or any further prospect of aggression? And if the very people of the land, when they offend, are thus subjected to instant and severe punishment, shall you, giving yourselves up, with open eyes and daring presumption to follow the depraved suggestions of your own minds, be yet made the recipients of a perverted and partial forbearance and leniency? Nay, but you shall surely receive in like manner the corrective penalties of the law, and so be made to know the celestial terrors. You have worked your vessels hither over a vasty deep, with no other object than that of seeking a gain upon your outlay. Ah! why will you for gain merely lose your own selves? And at this moment, when the people have, as one man, abandoned the use of opium; when even the traces of the clandestine dealers are ceasing to appear; when the officers, having taken in hand the stern enforcement of the laws, the people, too, in fear of penalties, pay implicit obedience, not only in all avenues for disposing of it entirely shut up, but even the gain you seek for is no longer to be found. The people of China have many of them lost their lives in consequence of this thing, and all now regard it as an enemy most hateful; they throw it away on every road, and view it just as a filthy drug. In truth, then, what have you yet to hope for? and can repentance still find no place within your hearts?

We proceed hereon to issue, with intense earnestness, our commands. Upon their reaching the said foreign merchants, let these immediately wash out their past defilements; and let them speedily send away to their countries one and all of the warehousing vessels now anchored in the outer seas. Those ships too, which, though they be not warehousing vessels, yet neither are they laden with merchandize for importation, must not pass at random to and from the various offings, anchoring wherever it may please them. It must be the business of all, to rest in the pursuit of an honest commercial business, that all may enjoy together happy gains, with peace and tranquillity. But if as you have begun so you continue obstinately blind, and do not awaken, still retaining covetous and avaricious expectations, in that case you will be alienating yourselves from the nurture and protection of the laws. We, the Governor and Lieutenant-Governor, will not then deem it worth our while to bestow labour and toil, to be continually exercising measures for prevention, discovery,

discovery, and apprehension, but will simply have to lay before the throne our requests, that the ports may be closed, and the trade brought for ever to an end. And when once the ports are thus closed, it will no longer be a question, whether opium is brought or not, but even the tea and the rhubarb of the inner land will be withheld from exportation. Thus are the lives of all you foreigners held within our grasp.

It will be found that all the Sovereigns of the nations aforesaid, have been habitually reverent and dutiful, and that their laws for the rule of the foreigners are severe and rigorous. Should such an entire stoppage of the export of tea and rhubarb take place, lead them to search back to find the cause, it is to be apprehended that even though you slip through the meshes of the law of the Celestial Empire, it will yet be hard for you to escape the laws of your own lands.

Besides all this, the Great Emperor has just now appointed a high officer as his special Commissioner, to repair to Canton in order to examine and adopt measures in reference to the affairs of the sea-ports. From morn to eve his arrival may hourly be looked for. His purpose is to cut off utterly the source of this noxious abuse, to strip bare and root up this enormous evil: and though this axe should break in his hand, or the boat should sink from beneath him, yet will he not stay his efforts till the work of purification be accomplished.

If then you will blindly rush upon sharp weapons, and will not be induced to turn again your faces, you will bring on yourselves grief and sorrow, exceeding in severity even what in this proclamation we have pointed out to you. We, the Governor and Lieutenant-Governor, are indeed roused by your blind perversity and lack of intelligence to a sense of deep pain and abhorrence: but, still cherishing thoughts and feelings of kindness, we cannot forbear from warning you yet again with intense earnestness, and in our partiality calling upon you to save yourselves.

Would that you might each regard and attend to us! Oh! lay not up for yourselves a store of after-repentance! A Special Edict.

Taoukwang, 18th year, 12th moon, —— day. (January, 1839.)

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 144.

Captain Elliot to Viscount Palmerston.—(Received August 5, 1839.)

My Lord, *Macao, February 21, 1839.*

WITH reference to my Despatches upon the subject of the bankrupt Hongs, I have now the honour to transmit a statement of the additional charges lately imposed upon the trade, with the alleged purpose of forming a fund to meet the foreign claims.

It has been a task of considerable difficulty, and of reference in many quarters, to collect the data upon which this paper is founded. But I feel warranted in assuring your Lordship, that its general accuracy may be relied upon.

The Inclosure No. 2, exhibits the effects of such assessments upon what may be taken to be a year of an average amount of foreign trade with this empire.

The delusion of such a mode of adjusting foreign claims is so obvious, and has so recently been drawn under your Lordship's notice, that it cannot be necessary to dwell upon the subject.

I ought to add, that instalments to the amount of about two lacs of dollars have already been paid to the creditors of the Hingtae, and Kingqua's Hongs.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 144.

Charges on Exports and Imports in Foreign Vessels imposed at Canton by the Co-Hong of Hong Merchants, for the alleged purposes of meeting the payment of the foreign debts of the Co-Hong, arising from the bankruptcy of Hing-tae, and insolvency of Kingqua, and of defraying in part the expenses of the respective Hongs, viz. 1838.

EXPORTS.

		Taels.	M.	C.	C.
Tea of all kinds	Rate per Pecul	1	4	–	–
Sugar Candy	,, ,,	–	2	–	–
Soft Sugar	,, ,,	–	1	5	–
Raw Silk, Nankin	,, ,,	7	2	–	–
Do. Canton	,, ,,	2	–	–	–

IMPORTS.

Raw Cotton	Rate per Pecul	–	6	–	–
Cotton Twist	,, ,,	2	1	6	–
Long Cloths, No. 2	per Piece	–	3	6	–
Do. No. 3	,, ,,	–	1	8	–
Cotton Cloth, Twilled	,, ,,	–	3	6	–
Broad Cloths	,, ,,	–	7	2	–
Long Ells	,, ,,	–	3	6	–
Tin, Banca	per Pecul	–	5	4	–
Lead	,, ,,	–	1	8	–
Quicksilver	,, ,,	1	4	4	–
Iron	,, ,,	–	1	4	4
Pepper	,, ,,	–	2	8	8
Betel Nut	,, ,,	–	1	4	4
Rattans	,, ,,	–	1	4	4
Blackwood	,, ,,	–	1	4	4
Sandal Wood	,, ,,	–	7	2	–
Elephant's Teeth	,, ,,	1	4	4	–
Do. small	,, ,,	–	3	6	–
Shark's Fins	,, ,,	–	7	2	–
Fish Maws	,, ,,	–	1	8	–

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 2 in No. 144.

IMPORTS 1st July, 1836, to 30th June, 1837.		Proposed additional Duty.	
British Yarn - - - -	18,431		
American do. - - - -	4,232		
		22,663 Peculs at 3 doll. are -	67,989
Long Cloths, per British Ships -	140,989		
„ per American do. -	106,462	200,000 at 25 cents. / 247,451 Pieces 47,451 at 50 cents.	73,725
Long Ells, per British Ships -	89,124		
„ per American do. -	34,472		
		123,596 Peculs at 50 cents. -	61,798
Woollen Cloths, per British Ships	68,000		
„ per American do.	13,860		
		81,860 Pieces at 1 doll. - -	81,860
Cotton, Peculs - - -	677,557	at 6 Mace are Taels 406.410.6 -	564,459
			849,831

EXPORTS, 1st July, 1836, to 30th June, 1837.					
Tea - - - - -	425,641	at Taels 1.4 are Taels	595,897		
Silk, Nankin - - - -	14,172	at „ 7. „	99,204		
Do. Canton - - - -	6,635	at „ 2. „	13,270		
			708,371	-	983,849
			Dollars		1,833,680

(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 145.

Captain Elliot to Viscount Palmerston.—(Received August 5, 1839.)

My Lord, *Macao, March 22, 1839.*

THE inclosure has this moment reached me from Canton, and I have only time to transmit it by the *Viscount Melbourne*, on the point of sailing.

It will be very satisfactory to your Lordship to know that Her Majesty's sloop *Larne* is here; and Her Majesty's Government may be assured, that I will take the most prompt measures for meeting the unjust and menacing dispositions of the High Commissioner and the Provincial Authorities.

I have already forwarded a note to the Keun-Min-Foo and the Governor of Canton, desiring to know whether it is the purpose of the Chinese Government to make war on the ships and men of my country; and I shall proceed to-morrow to the Bocca Tigris to demand some plain and definite explanation upon the whole subject.

I have no doubt, that a firm tone and attitude will check the rash spirit of the Provincial Authorities; but I should not omit to mention to your Lordship, that I have, at the same time, offered to use my best efforts for fulfilling the reasonable purposes of this Government, whenever they are authentically made known to me.

The completion of the great portion of the trade of this year has relieved me of a very embarrassing addition to the difficulties of my situation.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 145.

Edict from the Imperial Commissioner, addressed to Foreigners of all Nations.

LIN, High Imperial Commissioner of the Celestial Court, a Director of the Board of War, and Governor of Hookwang, issues his commands to the foreigners of every nation, requiring of all full acquaintance with the tenour thereof.

It is known that the foreign vessels, which come for a reciprocal trade to Kwangtung, have derived from that trade very large profits. This is evidenced by the facts,—that, whereas the vessels, annually resorting hither, were formerly reckoned hardly by tens, their number has of late years amounted to a hundred and several times ten: and that whatever commodities they have brought, none have failed to find a full consumption; whatever they may have sought to purchase, never have they been unable readily to do so. Let them but ask themselves, whether between heaven and earth, any place affording so advantageous a commercial mart is elsewhere to be found? It is because our Great Emperors, in their universal benevolence, have granted you commercial privileges, that you have been favoured with these advantages. Let our ports once be closed against you, and for what profits can your several nations any longer look? Yet more,—our tea and our rhubarb—seeing that, should you foreigners be deprived of them, you therein lose the means of preserving life,—are without stint or grudge granted to you for exportation, year by year, beyond the seas. Favours never have been greater!

Are you grateful for these favours! You must then fear the laws, and in seeking profit for yourselves, must not do hurt to others. Why do you bring to our land the opium, which in your lands is not made use of, by it defrauding men of their property, and causing injury to their lives? I find that with this thing you have seduced and deluded the people of China for tens of years past: and countless are the unjust hoards that you have thus acquired. Such conduct rouses indignation in every human heart, and it is utterly inexcusable in the eye of celestial reason.

The prohibitions formerly enacted by the Celestial Court against opium, were comparatively lax; and it was yet possible to smuggle the drug into the various ports. Of this the Great Emperor having now heard, his wrath has been fearfully aroused, nor will it rest till the evil be utterly extirpated. Whoever among the people of this inner land deals in opium, or establish houses for the smoking of it, shall be instantly visited with the extreme penalties of the laws; and it is in contemplation to render capital also the crime of smoking the drug.

Having come into the territory of the Celestial Court, you should pay obedience to its laws and statutes, equally with the natives of the land. I, the High Commissioner, having my home in the maritime province of Fuhkeen, and, consequently, having early had intimate acquaintance with all the arts and shifts of the outer foreigners, for this reason have been honoured by the Great Emperor with the full powers and privileges of "a High Imperial Commissioner, who, having frequently performed meritorious services, is sent to settle the affairs of the outer frontier."

Should I search closely into the offences of these foreigners, in forcing for a number of years the sale of opium, they would be found already beyond the bounds of indulgence. But, reflecting that they are men from distant lands, and that they have not before been aware that the prohibition of opium is so severe, I cannot bear, in the present plain enforcement of the laws and restrictions, to cut them off without instructive monition.

I find that on board the warehousing vessels, which you now have lying at anchor in the Lintin and other offings, there are stored up several times ten thousand chests of opium, which it is your purpose and desire illicitly to dispose of by sale. You do not consider, however, the present severity of the measures in operation for seizure of it at the ports. Where will you again find any that will dare to give it escort? And similar measures for the seizure of it, are in operation also in every province. Where else then will you yet find opportunity of disposing of it? At the present time, the dealings in opium are brought utterly to a stand, and all men are convinced that it is a nauseous poison. Why will you be at the pains then of laying it up on board your foreign

foreign store-ships, and of keeping them long anchored on the face of the open sea,—not only spending to no purpose your labour and your wealth, but exposed also to unforeseen dangers from storms or from fire.

I proceed to issue my commands. When these commands reach the said foreign merchants, let them with all haste pay obedience thereto; let them deliver up to Government every particle of the opium on board their store-ships. Let it be ascertained by the Hong merchants, who are the parties so delivering it up, and what number of chests, as also what total quantity in catties and taels, is delivered up under each name. Let these particulars be brought together in a clear tabular form, and be presented to Government, in order that the opium may all be received in plain conformity thereto, that it may be burnt and destroyed, and that thus the evil may be entirely extirpated. There must not be the smallest atom concealed or withheld.

At the same time, let these foreigners give a bond, written jointly in the foreign and Chinese languages, making a declaration to this effect:—"That their vessels, which shall hereafter resort hither, will never again dare to bring opium with them; and that should any be brought, as soon as discovery shall be made of it, the goods shall be forfeited to Government, and the parties shall suffer the extreme penalties of the law: and that such punishment will be willingly submitted to."

I have heard that you foreigners are used to attach great importance to the word "good faith." If then you will really do as I, the High Commissioner, have commanded,—will deliver up every particle of the opium that is already here, and will stay altogether its future introduction,—as this will prove also, that you are capable of feeling contrition for your offences, and of entertaining a salutary dread of punishment, the past may yet be left unnoticed. I, the High Commissioner, will, in that case, in conjunction with the Governor and Lieutenant-Governor, address the throne, imploring the Great Emperor to vouchsafe extraordinary favour, and not alone to remit the punishment of your past errors, but also, as we will further request, to devise some mode of bestowing on you his imperial rewards, as an encouragement of the spirit of contrition and wholesome dread thus manifested by you. After this, you will continue to enjoy the advantages of commercial intercourse; and, as you will not lose the character of being "good foreigners," and will be enabled to acquire profits and gain wealth by an honest trade, will you not, indeed, stand in a most honourable position?

If, however, you obstinately adhere to your folly, and refuse to awake; if you think to make up a tale covering over your illicit dealings, or to set up as a pretext, that the opium is brought by foreign seamen, and the foreign merchants have nothing to do with it; or to pretend craftily that you will carry it back to your countries, or will throw it into the sea; or to take occasion to go to other provinces in search of a door of consumption; or to stifle inquiry by delivering up only one or two-tenths of the whole quantity: in any of these cases, it will be evident that you retain a spirit of contumacy and disobedience, that you uphold vice and will not reform. Then, although it is the maxim of the Celestial Court to treat with tenderness and great mildness men from afar, yet, as it cannot suffer them to indulge in scornful and contemptuous trifling with it, it will become requisite to comprehend you also in the severe course of punishment prescribed by the new law.

On this occasion, I, the High Commissioner, having come from the Capital, have personally received the sacred commands, that wherever a law exists it is to be fully enforced. And as I have brought these full powers and privileges, enabling me to perform whatever seems to me right,—powers with which those ordinarily given, for inquiring and acting in regard to other matters, are by no means comparable,—so long as the opium traffic remains unexterminated, so long will I delay my return. I swear that I will progress with this matter from its beginning to its ending, and that not a thought of stopping half way shall for a moment be indulged.

Furthermore, observing the present condition of the popular mind, I find so universal a spirit of indignation aroused, that, should you foreigners remain dead to a sense of contrition and amendment, and continue to make gain your sole object, there will not only be arrayed against you the martial terrors and powerful energies of our naval and military forces; it will be but necessary to call on the able-bodied of the people, [the militia, or posse comitatus,] and

these alone will be more than adequate to the placing all your lives within my power. Besides, either by the temporary stoppage of your trade, or by the permanent closing of the ports against you, what difficulty can there be in effectually cutting off your intercourse? Our central empire, comprising a territory of many thousands of miles, and possessing in rich abundance all the products of the ground, has no benefit to derive from the purchase of your foreign commodities; and you may therefore well fear, that from the moment such measures are taken, the livelihood of your several nations must come to an end. You, who have travelled so far to conduct your commercial business, how is it that you are not yet alive to the great difference between the condition of vigorous exertion and that of easy repose,—the wide distance between the power of the few, and the power of the many?

As to those crafty foreigners, who, residing in the foreign factories, have been in the habit of dealing in opium, I, the High Commissioner, have early been provided with a list of them by name. At the same time, those good foreigners who have not sold opium, must also not fail to be distinguished. Such of them as will point out their depraved fellow-foreigners, will compel them to deliver up their opium, and will step forth among the foremost to give the required bonds, these shall be regarded as the good foreigners. And I, the High Commissioner, will at once, for their encouragement, reward them liberally. It rests with yourselves alone to choose, whether you will have weal or woe, honour or disgrace.

I am now about to command the Hong merchants to proceed to your factories, to instruct and admonish you. A term of three days is prescribed for an address to be sent in reply to me. And, at the same time, let your duly attested and faithful bonds be given, waiting for me, in conjunction with the Governor and Lieutenant-Governor, to appoint a time for the opium to be delivered up. Do not indulge in idle expectations, or seek to postpone matters, deferring to repent until its lateness render it ineffectual. A special Edict.

Taoukwang, 19th year, 2nd month, 4th day. (March 18, 1839.)

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 145.

Edict from the Imperial Commissioner to the Hong Merchants.

LIN, High Imperial Commissioner, Director of the Board of War, and Governor of Hookwang, issues his commands to the Hong merchants, requiring of them full acquaintance with the tenour thereof.

The commercial intercourse subsisting in Kwangtung between the Chinese and foreigners has continued for a period of more than three hundred years. What was there to render impossible a free commercial interchange of goods between these parties themselves? Nothing. It was then the desire of preventing an illicit intercourse, and of guarding against contraband commodities, that rendered necessary the establishment of a class of Hong merchants.

Respectfully searching, I find, under date the 21st year of Keaking (1816), an Imperial Edict,—"rendering the Hong merchants responsible for the ascertainment of the question, whether or not any foreign vessel imports opium; and, in case of her so doing, for the rejection of all her cargo, for the refusal to let her trade, and for the driving of her back to her own country." Respect and obedience being paid thereto, this Edict was duly recorded. And I find, that on each occasion of a foreign vessel entering the port, the said Hong merchants have always given bonds that she brought no opium with her.

In consequence of such bonds, vessels have been allowed to enter the port and break bulk; nor has any vessel ever been sent back. And even now, while the opium is pervading and filling, with its poisonous influence, the whole empire, the said Hong merchants still continue indiscriminately

to

to give such bonds, declaring that the ships that resort hither have brought none of it. Are they not indeed dreaming, and snoring in their dreams?

If they say, that the opium which they bring is discharged beforehand, and left on board the warehousing vessels at Lintin, and that the bonds given, as to their bringing none, have reference to the vessels as entering the port, what is this but to "shut the ears whilst the jingling bell is being stolen," to provide for themselves a ground for excuse? The feelings that prompt such conduct will still less bear scrutiny. It is as if a man, to guard his house at night, should appoint a watchman, and that, nevertheless, his property should be bundled up and carried away, while yet the watchman should declare that there had been no thief. If this would not be regarded as combination in the theft, as what then would it be regarded?

Moreover, the foreign factories are built by the said Hong merchants, and by them are rented to the foreigners as residences; the Hongmen and all the working people in the factories are hired by the same merchants; and the "Macheen," (or outside shopmen) are in their employ; the neighbouring Shroff shops, too, are those with which the Hong merchants have dealings. Yet for more than ten years past, there has not been a Shroff shop that has not given bills, nor a "Macheen" that has not had transactions with the opium-preparers, nor a Hongman or other workman that has not had connexions with the fast boats. There have been, besides, the writers' houses, or brokers' shops, for preparing letters; and brokers for carrying the orders, would pass in and out of the foreign residences, day and night, without ever being questioned by any one. The Shroffs' and Hong merchants' coolies and carriers, of all grades, would in the day time openly go into the factories, and would at night afford escort down to the boats. Can the Hong merchants aver that they have heard and seen nothing of all this? Or, as they have agreed to conceal it, and bring no part of it to light, will any one believe them, when they assert that they have had no secret share in the matter?

I have heard that formerly, when the foreigners came to the factories, they would go in full dress, with swords by their sides, to wait upon the several Hong merchants, and would often meet with a denial; nor would they be seen or have their visits returned, until after a second visit. But of late years there have been those who will sue to the foreigners for patronage, and will even pass beyond the Custom-Houses, or go to Macao to meet them. And so far has this proceeded, that (a party in) the Tungyu Hong gave a sedan chair to the Chief Supercargo, Baynes, whereupon the same Chief Supercargo turned round, and would not suffer the Hong merchants to enter his factory in chairs. Many have been the instances of this misconduct subverting of what is right and fitting. What sense of shame, indeed, does there yet remain? Though it be true that this has arisen from the conduct of probationary Hong merchants, who have shown the example of such artful demeanour, and that the original merchants, men of property and family, would never have descended to this state of degradation: yet all now are equally involved in the stench of it, and truly I burn with shame for you.

With you there seems to be no other consideration than that of growing rich, and being left to carry on your trade; and you seem to regard the mine of all your profits as lying in the attaching of foreigners to you. You leave no room for the consideration, that the profits enjoyed by foreigners are those granted by the Celestial Court; and that if some day they should irritate the sacred wrath, to the cutting off of their trade and the closing of the Custom-Houses, not a mite of profit will there be for any of those nations to look for: and what then will there be for you?

They, regardless of the rich favours wherewith they are imbued by the Court, take depraved natives for their bosom friends. In the public offices of the inner land, there is not a movement nor a pause, but the foreigners are fully informed of it. But if any question is put to the Hong merchants regarding foreign affairs, they turn about for ways in which to gloze over and conceal the facts, nor will they utter the truth. Thus it is in regard to the exportation of the pure silver beyond the sea, a thing so very strictly

prohibited. Did the foreigners really barter goods for goods, what silver would there be for them to carry away? But more than this, the Hong merchants once represented, that each year, in addition to the interchange of commodities by barter, the foreigners require always to bring into the inner land, foreign money to the amount of four or five millions of dollars. Were this really the case, how comes it that of late years the foreign ships have brought into the port no new foreign money, and that the foreign silver existing in the country has daily been diminishing in quantity? And how happens it, that among the Hong merchants there have been bankrupts, whose debts to foreigners have exceeded a million of money? It is clear, that these four words, "goods bartered for goods," are totally and altogether false.

There is one thing yet more extraordinary. These Hong merchants sheltering themselves under a Memorial of a former Superintendant of Customs, Aa, which requested temporarily as a trial, that three-tenths of any surplus foreign money should be allowed to be taken away, have acted as though this request had passed into an established law, and have yearly, under cover of this, solicited permission to embark money. They have had numerous boxes made, such as are employed for the remittance of revenue. And they have even represented for the foreigners, that, in such a year, a foreigner left so much money in such and such hands, and that now he has entrusted such and such a person to convey it home for him: and they have secretly concerted with the clerks of the Custom-House to put this upon the records. Thus, while, on the one hand, the Hong merchants give these bonds, the silver, on the other hand, is exported, their words and deeds are contrary one to another, and this is passed quietly over without exciting surprise. And when the Imperial pleasure has been expressed, that inquiry should be made, they have, with one simple address, glozed over and set at rest the whole matter.

With regard, too, to foreigners, such as Jardine and others, who have been in the habit of selling opium,—all of them most artful and crafty men,—when the Imperial pleasure was expressed, two years ago, that their conduct should be inquired into, and that they should be driven forth, the said Hong merchants still strenuously defended them. Such language as this was used: "that when it could be discovered that there had been any concert in selling opium, any money taken, or orders given, punishment would then be willingly submitted to." Such a bond is yet to be found among the archives! Let them ask themselves, whether, according to this bond, punishment should, or should no t,be inflicted?

Again, the opium on board Innes' vessel was seized within the river, showing that the bonds given even for vessels that have entered the port have been no less unworthy of confidence.

Last winter, seven passage-boats, on the reiterated representations of these merchants, newly received permission to run, and already smuggling of goods and importation of gunpowder have been the consequence. If you say these things were without your knowledge, of what use then are you? If they took place with your knowledge, death is too light a punishment for you.

It is computed that the loss of the silver of China, during a period of several years past, by exportation beyond sea, has been not less than some hundreds of millions. The Imperial commands have been repeatedly received, in reference to the importation of opium and exportation of pure silver, reproving all the officers of every degree, in the most severe terms; yet these Hong merchants have continued in the same course of filthy and disgraceful conduct, to the great indignation and gnashing of teeth of every one. I, the High Commissioner, in obeying the Imperial mandates, in accordance with which I have come to Canton, shall first punish the depraved natives. And it is by no means certain that these Hong merchants will not be within the number.

I proceed to command that investigation be made. Upon my commands reaching the said Hong merchants, let them immediately state clearly the truth, that matters may be thoroughly arranged in consistence with the laws. The utter annihilation of the opium trade being now my first object, I have given commands to the foreigners, to deliver up to Government all the myriads of chests of opium which they have on board their warehousing vessels. And I have also called on them to subscribe a bond,

a bond, in Chinese and in the foreign languages jointly, declaring that henceforth they will never venture to bring opium, and that if any should again be brought, upon discovery thereof, the parties concerned shall immediately suffer execution of the laws, and the property shall be confiscated to Government. These commands are now given to the Hong merchants, that they may convey them to the foreign factories, and plainly make them known. It is requisite, that they should acquire an earnest severity of deportment, that the energetic character of the commands may be clearly made to appear. They must not continue to exhibit a contumacious disposition, or to colour over the matter, nor may they again give utterance to any expressions of solicitation. It is imperative on them to act with energy and loftiness of tone, and to unite in enjoining these commands. Three days are prescribed, within which they must obtain the required bonds, and report in reply hereto. If it be found that this matter cannot at once be arranged by them, it will be apparent, without inquiry, that they are constantly acting in concert with depraved foreigners, and that their minds have a perverted inclination. And I, the High Commissioner, will forthwith solicit the Royal death-warrant, and select for execution one or two of the most unworthy of their number, confiscating their property to Government, and thus will I show a lucid warning. Say not that you did not receive early notice. A special Edict.

Taoukwang, 19th year, 2nd month, 4th day. (17th March, 1839.)

True Translation.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 146.

Captain Elliot to Viscount Palmerston.—Received August 29, 1839.)

My Lord, *Canton, March* 30, 1839.

I HAVE considered that I shall most perspicuously perform my present duty to Her Majesty's Government, by confining this despatch to a narrative of events, accompanied by the documents connected with them; and indeed my imprisoned and harassed condition is not suited to a deliberately comprehensive exposition of the motives which have influenced some of the momentous proceedings involved in this report.

Being at Macao on the 28th of last month for the purpose of conferring with Captain Blake of Her Majesty's sloop *Larne*, then at anchor in those roads, I received intelligence to the effect that a native of China had been suddenly brought down into the square before the foreign factories on the 26th of the same month, accompanied by a considerable force of troops, and immediately put to death by strangulation.

Within two hours after I had received these tidings I embarked on board the cutter, and arrived here on the morning of the 2nd instant.

The series of papers from No. 1 to No. 8, will place your Lordship in possession of the steps taken in that respect.

On the 10th instant, leaving the trade still proceeding, but with a state of gloom subsisting in the minds of all men, both natives and foreigners, I returned to Macao, to which point, and the outside anchorages, appearances indicated that the first measures of the Commissioner would be directed. I was therefore anxious to have further consultation with Captain Blake on the expediency of his protracted stay in these seas, till I could judge of the degree in which the High Commissioner's proceedings would affect the general and important interests confided to me.

Between his Excellency's arrival and the 20th instant, rumours of every description were abroad: but the general impression was that the Governor and the High Commissioner were to proceed forthwith to Macao, or its near neighbourhood, and commence their operations from that situation. At Macao,

within the barrier, tents were pitched, a considerable force was assembled, numbers of vessels and boats of war were collected, and I had myself observed, a few days before, under the forts at the Bocca Tigris, a display of old native vessels preparing to serve the purposes of fire-ships, or at all events to leave that impression upon passing foreigners.

In this menacing posture of affairs outside, I had determined to abide at Macao, so that my intercourse with Her Majesty's sloop might not be interrupted, and that I might concert with the commander measures of general protection, if any attack should be really directed against the lives or properties of Her Majesty's subjects.

Resolved, in any pressure of emergency, actually threatening the continued peaceful intercourse with this Empire, to incur most heavy personal responsibilities concerning the ships engaged in the illicit traffic, I had also determined to resist sudden aggression on British life and British property at all hazards, and to all extremity, and I am well assured, your Lordship will be of opinion, that this was my capital duty as the Queen's officer.

On the 22nd instant, however, as your Lordship is already aware, the news reached me, that the storm had changed its direction, and impended over the whole foreign community at Canton in the most alarming form.

Forwarding an address to the Governor of Canton through the Keun-Min-Foo, and a transcript of the same to that officer, issuing two circulars to Her Majesty's subjects, and addressing a secret letter to Captain Blake, of Her Majesty's sloop *Larne*, I proceeded to make the attempt to reach these factories on the 23rd instant.

It had been my intention to proceed only to the Bocca Tigris and carry on my communications from that point, but further disquieting private intelligence reached me from Canton; and the reflection of the natural unfitness of a commercial community to take any consentaneous course respecting the delicate and momentous question in hand, in this hour of extreme peril to all interests, and indeed generally to human life, carried me to the conviction that I must either reach these factories, or some desperate calamity would ensue.

On Sunday the 24th instant, I passed through the Bocca Tigris, and calling to me an inferior mandarin, stationed there, explained to him my apprehension, that if the communications were cut off between me and all the people of my nation, at Macao and the other anchorages, they would believe that I and all the other foreigners were prisoners, or alarmed by vague reports that our lives were in immediate peril, they would attempt a rescue, to the certain violation of the peace between the countries, and to the great increase of our own danger. This I desired him to explain to his admiral with my respects.

I reached Whampoa at 4 P.M. of the same day (the 24th), where I learnt, as I had anticipated, that the intercourse between that place and Canton had been entirely cut off for forty-eight hours.

Putting on my uniform directly, and placing myself in the gig of Her Majesty's sloop *Larne*, which I had taken up with me, with the ensign and pendant hoisted, and my Chinese passport for the cutter in my hand, (declaratory of my public character and name,) I proceeded forthwith to the chief mandarin I could find in the reach.

I told that officer that it was my purpose to proceed to Canton; and that apprehending forcible interruption, I had to warn him that my boat was unarmed, that my purposes were peace and the protection of my countrymen, that I should offer no resistance, but that it was my resolution to reach these factories, or to sacrifice my life in the attempt. I therefore called upon him not to lose one moment in forwarding expresses to advertise the officers of the various stations not to fire upon me.

Disregarding his earnest dissuasion, I proceeded on immediately in the cutter to the usual anchorage, about four miles from these factories. At that point I was again approached by several armed boats; but pursuing a similar course of representation, I entered the gig, and proceeded upwards with all possible celerity, pulling and sailing. At my nearer approach to the factories, armed boats pushed out from every side, but the admirable steadiness of the four people of the *Larne*, and a commanding favourable breeze, enabled me to baffle the attempts to obstruct me; and at about 6 P.M.,

I pushed

I pushed into those stairs, to the great relief of my distressed countrymen, many of whom had watched the latter part of my approach with feelings of keenest solicitude.

The top-mast of the flag-staff had been struck since the execution; but I immediately desired that the boat's ensign should be taken up and made fast to the lower masthead; for I well knew, my Lord, that there is a sense of support in the sight of that honoured flag, fly where it will, that none can feel but men who look upon it in some such dismal strait as ours.

[redacted]e state of intense distress in which I found the whole foreign com-m[redacted]y will be explicable to Her Majesty's Government, when I inform your Lordship that the actual pressing difficulty was the obstinate demand that Mr. L. Dent, one of our most respected merchants at Canton, should proceed into the city, and attend the High Commissioner's tribunal.

The accompanying notes, however, taken by the Secretary, Mr. Elmslie, will furnish a detailed account of the proceedings, which immediately preceded my arrival in Canton.

My first step was to go to Mr. Dent's house with my countrymen; and taking him under my arm, I brought him to this hall, where by God's gracious mercy he still remains. Most anxious, however, to avoid all just imputation of impracticability, I immediately signified to the Hong merchants, for communication to the Government, my readiness to let Mr. Dent go into the city *with me*, and upon the distinct written stipulation, (sealed with the High Commissioner's signet,) that he was never to be removed for one moment out of my sight.

I then assembled the whole foreign community in Canton, and reading to them my circulars issued at Macao, enjoined them all to be moderate, firm, and united. I had the satisfaction to dissolve the meeting in a calmer state of mind than had subsisted for several days past.

The native servants were taken from us, and the supplies cut off on the same night; but it was declared by the merchants, that the orders had been issued in the course of the morning, by reason of Mr. Dent's opposition to the High Commissioner's summons.

An arc of connected boats was formed, filled with armed men, the extremes of which touch the east and west points of the bank of the river in the immediate front of the factories, cutting off a segment of the stream from the main body; the square, and the rear of the factories, are occupied in considerable force; and before the gate of this hall the whole body of Hong merchants and a large guard are posted day and night, the latter with their swords constantly drawn. In short, so close an imprisonment of the foreigners is not recorded in the history of our previous intercourse with this empire.

The series of papers from No. 13 to 26 is my correspondence with the Government since my arrival in Canton this day week, with the exception of No. 20, which is a most momentous circular to Her Majesty's subjects, requiring the surrender into my hands, for the service of Her Majesty's Government, of all the British opium actually on the coasts of China at that date.

The justification of this immense responsibility will need more full development than it would be desirable, or indeed practicable, to make in my present condition. I am without doubt, however, that the safety of a great mass of human life hung upon my determination. For if I had commenced with the denial of my controul over the subject, the High Commissioner would have seized that pretext for reverting to his measures of intimidation against individual merchants, obviously the original purpose, but which my sudden appearance had disturbed. If I had persevered in this course of representation, he would have forced the whole into submission by the protracted confinement of the persons he should determine to seize; and, judging from the tenor of his proclamation and general conduct, I am fully warranted in saying by the sacrifice of their lives.

The forced and separate surrender of all this immensely valuable property by individual merchants, without security of indemnity and protection, must have led to some desperate commercial convulsion in India and England, which might have embarrassed the Queen's Government in an incalculable degree.

In a few words then, my Lord, I may say, that I plainly perceived the moment had arrived for placing the whole weight of the immense difficulties to be encountered, on the only foundation where it could safely rest: namely, upon the wisdom, justice, and power of Her Majesty's Government.

I have written thus far, my Lord, at various snatches during a most anxious week, and it is my present purpose to continue this narration from this date, as circumstances of moment present themselves.

Canton, April 2, 1839.

Between the 30th ultimo and the present date, the negociations, your Lordship will observe, have been confined entirely to the mode of delivering the opium.

His Excellency demands that the ships should come up so close to the Bogue, as to place them almost under the guns of the fortresses; and he insists that I shall forward the merchants' orders for delivery to the respective commanders to the officers of the Government, so that they may forthwith take them to the ships and receive the opium; all of us remaining in our present imprisonment till the whole amount be delivered.

I need hardly observe to your Lordship, that it is not my purpose to accept conditions of release, which would place all the British shipping in China at the disposal of this Government, and completely expose the transactions of the merchants of my country.

But being anxious, for obvious and very urgent reasons, to fulfil my obligations with all practicable dispatch, your Lordship will perceive that I have submitted the single mode of effecting the object.

The only incidents of interest affecting our general situation since I last wrote, are the permission to purchase food, and the entrance, from time to time, of Coolies, under strict surveillance, to remove the foul linen. In other respects, the blockade is increasing in closeness. Scraps of intelligence, however, have reached us, brought up by Chinese, in segars, and in other adroit modes, from Whampoa, to the 31st ultimo; and from Macao to the 30th. All was tranquil at either point when these tidings left; but the painful anxiety of our families and countrymen will be conceivable to Her Majesty's Government.

I should not omit to mention to your Lordship that the Commissioner yesterday caused his addresses to me to be publicly placarded, but not my replies. I am credibly informed that the publicity of his own papers has by no means had the desired effect of inciting the people of the country against me, but the contrary.

Her Majesty's Government will do me the honour to observe, that I have studiously abstained from noticing the High Commissioner's insulting language, palpably put forward to provoke me; and that I have not considered my situation was a suitable one for answering his argumentation.

This is the first time, in our intercourse with this Empire, that its Government has taken the unprovoked initative in aggressive measures against British life, liberty, and property, and against the dignity of the British Crown. I say *unprovoked*, advisedly, because your Lordship will observe, in my address to the Keun-Min-Foo, dated at Macao, on 22nd ultimo, that I offered to adjust all things peacefully, by the fulfilment of the Emperor's will, as soon as it was made known to me.

Her Majesty's Government may be assured that there shall be no pretext of unseemly violence or intemperance of tone on my part, to help the vindication of the actual policy. They have deprived us of our liberty, and our lives are in their hands; but our reason, and above all, our dutiful confidence in the Queen's gracious protection, will remain with us.

My own life has been passed in the public service, and I should be unpardonable indeed, if I did not remember and steadily act upon the recollection, that the response to these proceedings is the high attribute of Her Majesty.

The

Canton, 1 P. M., *April* 3, 1839.

The High Commissioner has acceded to the arrangements proposed in my memorandum, No. 28; and Mr. Johnson leaves me at 4 P. M. this day, for Macao, by the inside passage, accompanied by the officers.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 146.

Messrs. Bell and others, Her Majesty's Subjects, to A. R. Johnston, Esq., Deputy Superintendent.

Sir, *Canton, February* 26, 1839.

A GROSS and shocking outrage against the foreign community having been perpetrated by the Chinese authorities, in causing a man to be strangled this afternoon in front of the factories, we, the undersigned British subjects, most earnestly request that the British flag may not again be hoisted until reference has been made to Her Majesty's Chief Superintendent.

[Signed by all the British subjects in Canton.]

Inclosure 2 in No. 146.

Messrs. Bell and others, Her Majesty's Subjects, to A. R. Johnston, Esq.

Sir, *Canton, February* 28, 1839.

INFORMATION having been received of the arrival of Her Majesty's sloop *Larne*, in the Macao Roads, as also that her stay there was likely to be very short, we, the undersigned British merchants, respectfully request that you will represent to Her Majesty's Senior Superintendent, that we are of opinion that the presence of a naval force in the waters of China is at all times desirable, but more especially so under the present very unsatisfactory position of our commercial relations with the Chinese Government; and that the services of the *Larne* should be made available for the protection of British interests.

We have, &c.,
(Signed) BELL & CO., and others.

Inclosure 3 in No. 146.

Captain Elliot to Messrs. Bell and others, Her Majesty's Subjects.

Gentlemen, *Canton, March* 2, 1839.

I HAVE had the honour to receive your letter of the 26th ult., to the address of the Deputy Superintendent, and I beg to acquaint you that it is not my intention to hoist the British flag at Canton in the present posture of circumstances. I am sensible, Gentlemen, of the extreme hazard to which the lives and property of the whole foreign community are exposed by the recurrence of so dismal and exciting an event as that which forms the subject of your letter. And it will be my duty to make an early communication to Her Majesty's subjects, in explanation of the proceedings I propose to take, for leading the

Governor to refrain from measures that cannot fail to burden His Excellency with the responsibility of some terrible catastrophe.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 4 in No. 146.

Captain Elliot to Messrs. Bell and others, Her Majesty's Subjects.

Gentlemen, *Canton, March* 2, 1839.

I HAVE had the honour to receive your letter to the address of Mr. Johnston, upon the subject of Her Majesty's sloop *Larne's* continuance on this station; and in reply, I beg to acquaint you that I had already moved Captain Blake to remain, for the purpose of affording me an opportunity to communicate with the Commander-in-Chief, and the British Indian Government, from this place.

The period of her further delay must be regulated with careful attention to the orders under which that officer is acting in the furtherance of the other exigencies of the public service, as well as by circumstances on the spot, of which I am not yet in a situation to judge.

I may observe, however, that my chief object in requesting Captain Blake to remain, was to afford time for exact reports to the authorities above-mentioned, in order that such immediate and effectual steps may be taken for the protection of British interests in this quarter, as may be necessary in the emergencies of the case.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 5 in No. 145.

Notice to Her Majesty's Subjects.

Circular. *Canton, March* 4, 1839.

THE execution of a criminal in this square, on the 26th ultimo, renders it the duty of the Undersigned to submit a few remarks to Her Majesty's subjects.

In his own judgment, the purpose of this most humiliating event was not only to intimidate, but to degrade, and render hateful, the whole foreign community in the sight of the native population. Neither can he doubt that its tacit admission would lead to still graver passages.

Her Majesty's subjects may be assured that he will not fail to lay these convictions before the Right Honourable the Secretary of State for Foreign Affairs.

Impressed by the persuasion, however, that the recurrence of such an outrage would lead to some sudden and deplorable catastrophe, he finds it necessary to make an immediate communication to the Governor. But he has been careful to leave the treatment of the late event to the unembarrassed disposal of his own and the other Western Governments, whose flags have been subsequently lowered.

He considers it due to his countrymen to promulgate a copy of his address to the Governor on this occasion.

(Signed) CHARLES ELLIOT,
Chief Superintendent of the Trade of British Subjects in China.

Inclosure 6 in No. 146.

Captain Elliot to the Governor of Canton.

Canton, March 4, 1839.

THE Undersigned, &c., &c., presuming to offer no objections to the right of this Government to execute native criminals wheresoever it may think fit, within the limits of the Empire, desires only to observe, that no such circumstances have ever had place in the immediate vicinity of the foreign dwellings, until the 26th ultimo, during an intercourse of nearly two hundred years; and he has now to request, on the behalf of the Government of his nation, that his Excellency will be pleased to order their future discontinuance in this situation.

A native of the western countries, your Excellency will hold the Undersigned excused for observing that, agreeably to the genius of those people, nothing could be more harassing to them than the execution of a criminal before their doors.

He dares not conceal from your Excellency a very general impression, upon the part of the foreign community, that the considerate protection of this Government is in a great degree withdrawn from them.

The effect of such feeling need not be pressed upon the attention of a high officer, versed in the government of men. It deprives the wise and the thoughtful of their just and restraining influence, and renders the rash desperate.

The Undersigned is afraid, therefore, that it would be impossible to stay the hands of every excited individual, in such a crisis of intense agitation, as another execution before these factories would produce; and one fatal blow might lead to death, destruction of property, and disturbance of the lower orders of the native population, which the most anxious efforts of the honourable officers could not prevent.

These are the profound sentiments of his heart; and claiming, as the officer of his nation, the protection of the great Emperor, the Undersigned must, once more, request your Excellency to signify to him the calming declaration, that it is not the purpose of this wise and just government to leave the whole foreign community exposed to the most imminent risks of disaster.

The Undersigned avails himself of this occasion to offer to your Excellency the renewed expressions of his highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure 7 in No. 146.

Notice to Her Majesty's Subjects.

Circular. *Canton, March* 9; 1839.

WITH reference to his circular of the 4th instant, the Undersigned has now the honour to promulgate a copy of his Address to the Governor, concerning the late execution before these factories.

And having this day ascertained, by a formal message from his Excellency, that he does not propose to reply to him in a direct shape, it only remains for the Undersigned to announce to Her Majesty's subjects his own intention to report the circumstance to Her Majesty's Government by the earliest opportunity.

To this representation he will join his own strong opinion, that the lives and properties of the whole foreign community would be exposed to perilous jeopardy on every repeated occasion of an execution in the same situation.

Pending further instructions from his Government, his own address has served the purpose of a protest, which was the main object of its transmission.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 8 in No. 146.

Captain Elliot to the Governor of Canton.

Macao, March 12, 1839.

THE Undersigned, &c., &c., being on the point of communicating with the Government of his nation, and the high officers of the Government of India, and the chief in command of the naval forces, and having his mind agitated by many doubts and fears, has once more to address your Excellency upon the subject of his address of the 4th instant.

It is his duty to lay before your Excellency his strong conviction that the Government of his nation will regard the unprecedented execution of a criminal before the foreign dwelling houses, to be an outrage upon the feelings and dignity of all the Western Governments whose flags were recently flying at Canton.

And for the sake of that peace and good-will which has subsisted for one hundred and several tens of years, the Undersigned has again respectfully and anxiously to request that your Excellency will be pleased to forward him a calming declaration through the honourable officers, in order that he may report to the high officers of his own nation the needlessness of immediate and direct appeals to the great Emperor for protection.

The cruizer of his nation is detained for your Excellency's reply, and the Undersigned having received the same, will immediately make the necessary statement, and she will then sail away.

(Signed) CHARLES ELLIOT.

Inclosure 9 in No. 146.

Captain Elliot to the Governor of Canton.

Macao, March 22, 1839.

THE Undersigned, &c., &c., seriously disturbed by the unusual assemblage of troops, ships of war, fire-vessels, and other menacing preparations, and, above all, by the unprecedented and unexplained measure of an execution before the factories at Canton, to the destruction of all confidence in the just and moderate dispositions of the provincial authorities, has now the honour to demand, in the name of the Sovereign of his nation, whether it is the purpose of His Excellency the Governor to make war upon the men and ships of his nation in this empire?

He claims immediate and calming assurances upon this subject; and he has at the same time to declare his readiness to meet the officers of the Provincial Government, and to use his sincere efforts to fulfil the pleasure of the great Emperor, as soon as it is made known to him.

(Signed) CHARLES ELLIOT.

(A copy of the same was sent to the Keun-Min-Foo.)

Inclosure 10 in No. 146.

Public Notices to Her Majesty's Subjects.

Circular. *Macao, March* 22, 1839.

THE Chief Superintendent of the trade of British subjects in China, having received information that Her Majesty's subjects are detained against their will in Canton; and having other urgent reasons for the withdrawal of all confidence in the just and moderate dispositions of the provincial government, has now to require that all the ships of Her Majesty's subjects at the outer anchorages, should proceed forthwith to Hong Kong, and, hoisting their national colours, be prepared to resist every act of aggression on the part of the Chinese Government.

In the absence of Captain Blake, of Her Majesty's sloop, *Larne*, Captain Parry, of the *Hercules*, will make the necessary dispositions for putting the ships in a posture of defence; and in the absence of Captain Parry, that duty will devolve on Captain Wallace, of the *Mermaid*.

And the Chief Superintendent, in Her Majesty's name, requires all British subjects, to whom these presents may come, to respect the authority of the persons herein charged with the duty of providing for the protection of British life and property.

Given under my hand and seal of office, at Macao, this twenty-second day of March, one thousand eight hundred and thirty-nine.

(Signed) * CHARLES ELLIOT,

(L. S.) *Chief Superintendent of the Trade of British Subjects in China.*

Macao, March 23, 1839.

THE considerations that have moved the Undersigned to give public notice to all Her Majesty's subjects, that he is without confidence in the justice and moderation of the provincial government, are:—

The dangerous, unprecedented, and unexplained circumstance of a public execution before the factories at Canton, to the imminent hazard of life and property, and total disregard of the honour and dignity of his own, and the other western governments, whose flags were recently flying in that square; the unusual assemblage of troops, vessels of war, fire-ships, and other menacing preparations; the communication, by the command of the provincial government, that in the present posture of affairs, the foreigners were no longer to seek for passports to leave Canton (according to the genius of our own countries, and the principles of reason, if not an act of declared war, at least its immediate and inevitable preliminary); and lastly, the threatening language of the High Commissioner and provincial authorities, of the most general application, and dark and violent character.

Holding it, therefore, impossible to maintain continued peaceful intercourse with safety, honour, or advantage, till definite and satisfactory explanations have passed in all these particulars, both as respects the past and the future, the Undersigned has now to give further notice that he shall forthwith demand passports for all such of Her Majesty's subjects as may think fit to proceed outside, within the space of ten days from the date that his application reaches the government; such date hereafter to be made known.

And he has to counsel and enjoin all Her Majesty's subjects, in urgent terms, to make immediate preparations for moving their property on board the ships, *Reliance, Orwell,* and *George the Fourth,* or other British vessels at Whampoa, to be conveyed to Macao; forwarding him, without delay, a sealed declaration, and a list of all actual claims against Chinese subjects, together with an estimate of all loss or damage to be suffered by reason of these proceedings of the Chinese Government.

And he has further to give notice, that the Portuguese Government of this settlement has already pledged itself to afford Her Majesty's subjects resident here every protection in its power, so long as they shall be pursuing no course

of traffic within the limits of the settlement at variance with the laws of this empire. And he has most especially to warn Her Majesty's subjects, that such strong measures as it may be necessary to adopt on the part of Her Majesty's Government, without further notice than the present, cannot be prejudiced by their continued residence in Canton (beyond the period now fixed), upon their own responsibility, or without further guarantees from the Undersigned.

And he has further to give notice, that if the passports should be refused for more than three days from the date that his application shall reach the provincial government, he will be driven to the conclusion that it is their purpose to detain all Her Majesty's subjects as hostages; and to endeavour to intimidate them into unsuitable concessions and terms, by the restraint of their persons, or by violence upon their lives or property, or by the death of native merchants in immediate connexion with them both by ties of friendship and of interest; or by the like treatment of their native servants.

The Undersigned, in conclusion, most respectfully submits these observations to the attention of all the foreigners in China; and, the respective governments [being] closely united by a community of feeling and interests, not only in their own quarters of the globe, but most especially in this peculiar country, he feels that he is performing an act of duty in offering them every humble assistance in his power, on this and all similar occasions, when they may be of opinion that he can be useful to them.

Given under my hand and seal of office, at Macao, this twenty-third day of March, one thousand eight hundred and thirty-nine.

(Signed) CHARLES ELLIOT,

(L. S.) *Chief Superintendent of the Trade of British Subjects in China.*

Inclosure 11 in No. 146.

Captain Elliot to P. J. Blake, Esq., Commander of Her Majesty's Sloop Larne.

Sir, *Macao, March* 23, 1839.

THE various and unreserved conferences I have had the honour to have with you, on the present extremely disquieting state of circumstances, preclude the necessity of recapitulating the reasons which compel me to proceed forthwith to Whampoa for the relief of Her Majesty's subjects from their actual restrained and dangerous situation.

And if you shall not hear from me in some certain and assuring manner, within the space of six days from the date of this communication, I trust that you will proceed in Her Majesty's sloop under your command, to the Bocca Tigris, and, failing such authentic accounts of the safety and free agency of all Her Majesty's subjects within those forts, from the Chinese admiral, as may be satisfactory to you; I must beg you will consider us to be prisoners, and adopt such immediate proceedings for our relief as may seem suitable to you.

Cordially assenting with me in the propriety of avoiding any unnecessary or ostensible intercourse with the British shipping at the outside anchorages (many of which have no doubt been engaged in the illicit traffic), it is at the same time most satisfactory to me to reflect, that in the event of any well-sustained evidence of aggressive attempts, British life and property will have the benefit of all the protection and countenance which you can afford.

In touching this delicate and difficult subject, I should perhaps again remind you, that most of the ships engaged in the regular trade, are accustomed to anchor at the usual outside stations, both upon arriving and putting to sea.

I hold it my duty to you to state that I shall willingly take the full responsibility of any proceedings you may find it necessary to adopt on account

of

of these requisitions. And it is a great support to me in any embarrassing circumstances, that I have the assistance of an officer in whose zeal and ability I may justly repose entire confidence.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 12 in No. 146.

Notes of Proceedings at Canton, on Saturday, March 23, 1839, *taken by Mr. Elmslie, Secretary and Treasurer.*

Canton, Saturday, March 23, 1839.

THIS day, at 10 A. M., the Hong merchants repaired to the house of Mr. Dent, Howqua Senior and Mandarin Mowqua appearing with iron chains round their necks, and also with the further degradation of being deprived of their buttons of rank. Howqua's son, Mowqua, and Gowqua, were also degraded and cast into prison. The visit to Mr. Dent was by the express order of the High Commissioner, to command Mr. Dent to go into the city immediately, that he might be confronted with his Excellency. The majority of the foreign community had already assembled at Mr. Dent's, and it was deemed most advisable that they should collect in a separate room from the Hong merchants, and that the following question should be put to them:

Shall Mr. Dent comply with the commands of the Commissioner, or not?

It was unanimously carried, that Mr. Dent should not comply, unless under the written and sealed guarantee that he should be treated with respect, and also that he should be permttted to return home after the conference. This decision was conveyed to the Hong merchants. They said that Howqua and Mandarin Howqua would lose their heads if Mr. Dent did not comply with the commands from the Commissioner, and that they could not venture to apply for the required guarantee. After considerable delay, a deputation of foreigners, accompanied by linguists, proceeded to the Consoo House, to explain to the Kwang-Chow-Foo, and other officers, the objections the community had to allowing Mr. Dent to comply with the commands in question. Upon these objections being made known, the Kwang-Chow-Foo requested an officer belonging to the high Commissioner's suite, with the Namhoy, and an officer from the Hoppo's office, to repair and again deliver the commands to Mr. Dent, and to admonish him in the presence of the foreigners, on the necessity of obeying. This summons being now officially and directly made to Mr. Dent, it was thought advisable once more to solicit the opinion of the community, when the same unanimous feeling prevailed that Mr. Dent should not go into the city, unless with a special sealed guarantee from the High Commissioner. This determination being repeated to these three officers, they declared and called heaven to witness, that they would safely conduct and bring back Mr. Dent. The irresponsibility of these officers was taken into consideration, and the community still adhered to their determination. The officers were left in a room consulting together, and after a lapse of a few minutes, they expressed a wish to see Mr. Dent once more, when the officer belonging to the Commissioner's suite spoke for a very considerable time, giving his assurance in every way, and pledging his own word, for the safety of Mr. Dent's return. All these assurances were of no avail; and after Mr. Dent had expressed his regret that a further time could not be allowed for the arrangement of so important a question as the one on hand, he withdrew from the presence of the officers. It was now most distinctly affirmed by the officers, that

that they could not quit the house without they took Mr. Dent, and that they must use force to compel him to go. Waiting, however, for about half-an-hour, and finding Mr. Dent would not go, they wished to conduct a deputation of foreigners to the presence of the Kwang Chow Foo, at the Consoo House, that they might state to that officer upon what conditions Mr. Dent would comply with the commands. Many gentlemen accompanied these officers, and distinctly stated to the Kwang Chow Foo what the whole foreign community required. All the officers at the Consoo House said that they could not obtain or even ask his Excellency for a guarantee, but they all expressed a request that Mr. Morrison should accompany them to the city: this request was instantly denied; because Mr. Morrison had already been detained for about an hour against his will, in the Consoo House, in the forenoon of this day; and was liberated by the Deputy Superintendent and the Secretary to the Superintendents. And it was strongly suspected that he was to be kept as a hostage for Mr. Dent.

Mr. Inglis proposed that three other gentlemen, with himself, should be allowed to accompany the Kwang Chow Foo into the city; this was instantly conceded, and Messrs. Inglis, Thom, Slade, and Fearon, were to form the party. They were conducted through the back door of the Consoo House, entered the Chuk-lan gate, walked up the street, and took the first turning on the right, and soon passed the Viceroy's palace; and after turning on the left, they drew up, and were taken into the temple dedicated to the Queen of Heaven (teen hau koong). The Kwang Chow Foo had already arrived at this temple. He put these gentlemen in charge of the Hong merchants, and went to report to the High Commissioner; during his absence these gentlemen were shown to a very pretty part of the temple, and introduced to priests, who treated them kindly with sweetmeats, tea, &c. After great delay, the noise of gongs, and shoutings, intimated the approach of the following officers:—Pooching-sze, or Financial Commissioner; Ancha-sze, or Judicial Commissioner; Yen Yunsze, or Salt Commissioner; and Leang-taou, or Grain Commissioner. These officers took their respective seats in a line, but leaving the Kwang Chow Foo, and Wei Yune, or deputed officer, to sit on a bench in another part of the hall, evidently as if they were of too inferior degree to sit on a level with the former officers. All forms of etiquette, &c. being arranged, Mr. Thom was ushered by the head linguist into the presence of these officers, and the following questions put to him direct. "What is your name? What country do you belong to? &c. &c. Why does Mr. Dent not come?"

Mr. Thom said that all foreigners thought Mr. Dent would be detained, and therefore they would not allow him to come. Detain him or not detain him, he is guilty of showing the greatest disrespect for not obeying the commands from the High Commissioner,—was the reply. Here Mr. Thom begged to say, that Mr. Dent had not the most distant intention of showing any disrespect; that this question was one of the utmost importance; that Mr. Dent and his countrymen were all of opinion, and under the apprehension, that the High Commissioner wished to detain Mr. Dent until a certain quantity of opium be confiscated, as they had heard it reported, the High Commissioner imagined Mr. Dent had 6,000 chests of opium.

The Ancha-sze replied, that this is no report, but a certainty; that the High Commissioner's eyes are very sharp, and his ears very long; that he knows Dent to be a great merchant, and a very large capitalist, and that he had resided in China many years; that the High Commissioner held positive and explicit orders from the Emperor to put down the opium trade, and that he was possessed of powers quite unlimited and extraordinary, and that he wished to admonish Mr. Dent, and also to inquire into the nature of his business; that Mr. Dent must be confronted with the High Commissioner; that if he did not consent, he should be dragged out of his house by force; and, consequently, the High Commissioner would most assuredly kill him. One of the officers remarked, that if Dent would willingly come and see the Commissioner, the trae would be re-opened.

Similar questions to the above were put to the other gentlemen, but through one of the linguists: this mode of interpretation is always very confused,

fused, and causes so much misunderstanding, that the examinations are better omitted.

After a detention of about three hours, the whole party returned under the escort of an officer.

(Signed) EDWARD ELMSLIE,
Secretary and Treasurer.

Inclosure 13 in No. 146.

Captain Elliot to the Governor of Canton.

Canton, March 25, 1839.

ELLIOT, &c., moved by urgent considerations affecting the safety of the lives and property of all the men of his nation, and the maintenance of the peace between the two countries, respectfully claims passports for all the English ships and people at Canton, within the space of three days that this application reaches your Excellency's hands; so that they may all be set at liberty, and depart outside in peace, with their property, within ten days after the passports are issued. And Elliot further requests, that your Excellency will be pleased to grant them boats for the removal of their persons and property, with guards to protect them from the violence of the lower orders. And if Elliot shall not hear that the passports are granted within the space of three days from the date that this application reaches your Excellency's hands, he will be reluctantly driven to the conclusion, that the men and ships of his country are forcibly detained, and act accordingly.

Elliot cannot conceal from your Excellency his deep and sorrowful conviction, that the peace between the two countries is placed in imminent jeopardy by the late unexplained and alarming proceedings of this Government.

And in the name of the Sovereign of his nation, he declares himself free from the responsibility of all the consequences that may arise.

(Signed) CHARLES ELLIOT.

Inclosure 14 in No. 146.

Captain Elliot to the Governor of Canton.

Canton, March 25, 1839.

ELLIOT, &c., sincerely anxious to fulfil the pleasure of the great Emperor, as far as it may be in his power, and as soon at it is authentically made known to him, respectfully requests that your Excellency will be pleased to depute an officer to visit him this day, to the end that all matters may be peacefully adjusted.

And if Elliot is left at liberty to communicate with the men and ships of his nation at Whampoa, he will solemnly pledge himself that he will take care that they do not repair to the Provincial City under the apprehension that he and all the people of his nation are prisoners and without food, thus producing conflict and disturbance.

Elliot therefore moves your Excellency to let the native servants return to their occupations, to permit the supply of provisions, and to

remove all the barriers from before the factories. By such means, confidence and tranquillity will be restored in the minds of all men, both native and foreign.

Elliot has in all respects, since he filled the station of Superintendent, manifested his earnest desire to keep the peace, and fulfil the pleasure of your Excellency; and, as an officer of his country, he now asks for reasonable treatment for himself and all the men of his nation, and claims your Excellency's confidence in his peaceful dispositions on this occasion of perilous jeopardy.

It may sometimes happen, when Elliot addresses your Excellency concerning affairs, that unsuitable terms find place in his communications; and whenever that be the case, he entreats your Excellency to believe that the circumstance is attributable to the want of perfect familiarity with the native language, and never to any intention to manifest disrespect to the high officers of this Government, which would expose him to the severe displeasure of his own Sovereign.

And he has now to request that your Excellency will be pleased to return him the address he submitted this morning.

With highest consideration, &c.,

(Signed) CHARLES ELLIOT.

Inclosure 15 in No. 146.

The Prefect and Commandant at Canton, jointly, to Captain Elliot.

CHOO, Prefect of the department of Kwang Chow, and Han, Commandant of the same department, issue commands to the English Superintendent, Elliot, for his full information.

They have received the within official injunction from the High Imperial Commissioner and Governor of Hoo Kwang, his Excellency Lin:

"I have received from Tang, the Governor of the two Kwang, the following communication:

"'On the 25th of March, 1839, at 1 A.M., the English Superintendent, Elliot, addressed me in the following terms:

[*The Address of March* 25 (*Inclosure* 13) *is here inserted.*]

"'This address having duly come before me the Governor, I have given it my consideration. I find that the foreigners of the nation aforesaid have in their commercial intercourse with Kwangtung, long enjoyed gratifying advantages; but that they have brought opium—that pervading poison—to this land: thus profiting themselves by the injury of others. That the great Emperor has now been pleased to give to your Excellency a special commission to repair hither and make inquiry, and act in this matter. And that, as High Imperial Commissioner, you issued an edict, promising not to go back into the past, but only requiring that the opium already here should be entirely delivered up; that the opium to come should be effectually stopped from coming; and that they should then be enabled to continue their trade as usual. These commands, on the 18th of March last past, all the Hong merchants were required to repair to the factories and enjoin, a term of three days being prescribed within which to give a reply. Upon the 22d, there was yet no reply. This was conduct highly disobedient and procrastinating.

"'Your Excellency, the High Commissioner, had ascertained that the opium brought by Dent was comparatively in large quantity, and summoned him

him to be examined. He, too, procrastinated for three days, and has not at all obeyed your commands by appearing.

"'In consequence hereof, and in accordance with established precedents, a temporary embargo was placed on the trade, and the requesting of permits to go to Macao was stayed.

"'In perusing now the address of the said Superintendent, I find no clear statement of the circumstances from first to last, but an instant application for the granting of passports. I would ask, while commands remain unanswered, summonses unattended, how I, the Governor, can, regardless of the commands given by the High Imperial Commissioner, at once write out and give passports?

"'In regard to the style of the address, there is much that cannot be understood. Thus, for instance, the words "the two countries," I know not the meaning of. While our Celestial Court has in humble submission to it ten thousand (*i. e.* all) regions, and the heaven-like goodness of the great Emperor overshadows all, the nation aforesaid and the Americans have, by their trade at Canton during many years, enjoyed, of all those in subjection, the largest measure of favours. And I presume it must be England and America, that are conjointly named "the two countries." But the meaning of the language is greatly wanting in perspicuity.

"'It is most requisite that, in obedience to the commands of you, the High Imperial Commissioner, the opium laid up on board the store-ships should at once be delivered up to Government, when of course immediate permission will be accorded to apply for permits for the men and vessels of the said nation to come and go; and assuredly there shall be no causeless obstruction and delay.

"'Besides commanding the original merchants, Woo Tun Yuen (Howqua, Senior) and his fellows, to enjoin commands on the said Superintendent for his obedience; besides too, instructing the territorial and financial Commissioner of Kwangtung, in concert with the judicial Commissioner, to give all the needful commands, it is also my duty to communicate with the High Imperial Commissioner, desiring to give him the trouble to examine and cause measures to be taken accordingly.'

"Upon this communication being duly received by me, the Commissioner, I proceed forthwith to give injunctions requiring obedience. When these injunctions reach the Prefect and other afore-named, let them immediately issue commands, requiring that obedience be paid without fail."

They, the Prefect and Commandant, having respectfully received the above, proceed forthwith to issue commands. When these reach the said Superintendent Elliot, let him immediately act in obedience to them, and speedily take the opium laid up on board the store-ships, and at once deliver it up to Government. Then of course immediate permission will be accorded to apply for permits for the men and vessels of his nation to come and go; and assuredly there shall be no causeless obstruction and delay.

Be there no opposition to these special commands.

Taoukwang, 19th year, 2nd month, 11th day. (25th March, 1839.)

(L. S.) of Kwang Chow Foo.
(L. S.) of Kwang Chow Hee.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 16 in No. 146.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow, taking with him Lew, the Magistrate of Nanhae district, and Chang, the magistrate of Pwanyu district, issues commands to the English Superintendent, Elliot, for his full information.

On the 25th March, 1839, he received the within official injunction from his Excellency Tang, Governor of the two Kwang.

"Upon the 25th March, 1839, I received from Lin, the High Imperial Commissioner and Governor of Hookwang, a communication of the following tenor:—'I received on the 25th March, 1839, at from 1 to 3 A. M., your Excellency's communication of the following tenor:

[*The same Address of March* 25 (*Inclosure* 13) *is here inserted.*]

"'Upon the receipt hereof, I have given the subject my consideration. Elliot having come as English Superintendent into the territory of the Celestial Court, how ought he implicitly to obey the laws? But his country, while it interdicts the use of opium, has yet permitted the seduction and enticement of the Chinese people. The store-ships have been long anchored in the waters of Kwangtung, yet he has been unable to expel them, or by prohibitions to stay their proceedings. I would ask what it is then that Elliot superintends?

"'Of my special mission by the great Emperor, as his Commissioner in this province, for inquiring and acting in regard to opium, how can the said Superintendent be ignorant? And when, after my arrival here, in place of taking the foreigners who dealt in opium, and subjecting them to the punishment due by the laws, I turned to issue to them an edict, giving them the option to deliver up their opium, and put a full stop to its future ingress, how could he remain unaware of this act of kindness beyond the bounds of law? Yet in his address, not one word has he said in reference hereto; assuming the false garb of stupid ignorance. But has he not failed indeed to consider, that he, the said Superintendent, having come from Macao to Canton, cannot keep himself aloof from this matter?

"'The unintelligibleness of the style of his address, it is not worth while minutely to discuss. Nor is it necessary that I should reiterate the commands which I have already given.

"'I have now merely to lay on Elliot the responsibility of speedily and securely arranging these matters, the delivery of the opium, and the giving of bonds in obedience to my former commands.

"'If he can take the opium on board the store ships, and at once deliver it up entirely, it will of course be the duty of me, the Commissioner, to give him encouragement and stimulus to exertion.

"'Or if he have aught that he would say in the way of intreaty, he is permitted to make a clear statement thereof. If there be really nothing therein inconsistent with the principles of reason, in my equal maintenance of perfect justice, how can I, the Commissioner, be willing in the least to oppress? But if he speak not according to reason, and imagine, amid the darkness of night, to abscond with his men*, it will show the conviction within him that he can have no face to encounter his fellow-men, and can he be able to escape the meshes of the vast and wide net of heaven?

"'Having received your Excellency's communication as above, it befits me to communicate with you in reply, that you may, upon due examination, direct the territorial and financial Commissioner, and the judicial Commissioner, with the Prefect of Kwang Chow Foo, to enjoin commands upon the said Superintendent, for his implicit obedience.' "I,

---

* The word has the ambiguity arising from a want of declension of number in Chinese grammar; but the context seems to point out a plural rendering.—Translator.

"I, the Governor, having received the above communication, proceed to give this injunction, enjoining the Prefect that he instantly take with him the two magistrates of Nanhae and Pwanyu; and in obedience to the matter contained in the communication from the High Imperial Commissioner, proceed to impress on the said Superintendent Elliot, the commands, that they may be without fail obeyed."

He (the Kwang Chow Foo) having received this, forthwith issues commands. When these reach the said Superintendent Elliot, let him pay immediate obedience.

Be there no opposition to these special commands.

Taoukwang, 19th year, 2nd month, 12th day (26th March, 1839.)

(L. S.) of the Kwang Chow Foo.
(L. S.) of the Nanhae magistrate.
(L. S.) of the Pwanyu magistrate.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 17 in No. 146.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow, taking with him Lew, the magistrate of Nanhae, and Chang, the magistrate of Pwanyu, issues commands to the English Superintendent Elliot, for his full information.

On the 26th March, 1839, he received the within official injunction from His Excellency Tang, Governor of the two Kwang:

"Upon the 26th March, 1839, I received from Lin, the High Imperial Commissioner and Governor of Hookwang, a communication of the following tenor:—

"'I received on the 26th March, 1839, between 5 and 7 A.M., your Excellency's communication to me of the following tenor:—

"'That the English Superintendent, Elliot, having come up to Canton on the 24th, had a foreign address ready and presented, at 1 A.M. on the 25th; that a clear and plain reply had been given to it, and the particulars communicated to me, as appears explicitly on record; that now, between 1 and 3 P.M., another prepared address has been presented, the requests contained in which are all found difficult to be at present granted; and that it has appeared right to send for my examination the foreign addresses, that commands may be given in reply.

"'Upon the receipt hereof, I have given the subject my consideration. The said Superintendent, Elliot, requests, I find, that an officer may be deputed to enable him clearly and minutely to state matters. These words seem somewhat reasonable. But how then is it that this day, from 7 till 5, when I had sent several times, Choo the Prefect of Kwang Chow Foo, Yu the Prefect expectant, Lew the Sub-Prefect of Fukang, Lew the magistrate of Nanhae, and Chang the magistrate of Pwanyu, who jointly repaired to the Consoo House of the Hong merchants, waiting for the said foreigner, in order to express to him commands; and when the Territorial and Financial Commissioner, and the Judicial Commissioner, also both went to the new city, to await information: nevertheless, the foreigners all remained in concealment, not one appearing; and the said Superintendent Elliot also did not even to the last show himself? What kind of conduct is this?

"'I find that foreigners, by dealing in opium, have long infringed the laws. I, the High Commissioner, having received the Imperial commands to repair to Kwangtung in order to make inquiry and to act, cannot bear to destroy ere I have instructed. Therefore did I first issue an edict, requiring the delivery up of the opium. This was a measure of indulgence beyond the bounds of law. Had the said Superintendent one glimpse

of light, how ought he to have been roused by gratitude speedily to act? But whereas, before Elliot came to Canton, I heard that all the foreigners verbally expressed their readiness to deliver up opium, and only failed to state the true amount; and even Dent, although (having the conviction that he had been long in the habit of dealing in opium) he ventured not at once to appear before the officers, yet neither did he venture to abscond; whereas, I say, this was before the case, no sooner had Elliot come to Canton, on the evening of the 24th, than he wished to lead off Dent to abscond, with the view of preventing the determination in regard to the delivery of the opium. Had not the precautionary measures been most strict and complete, almost had the hare escaped, the wolf run off. Elliot's conduct being thus exactly the same as that of an artful schemer, can he yet be regarded fit for the office of Superintendent?

"'And while confusedly presenting your Excellency the Governor two addresses in one day, he makes not one word of reference to the inquiries now being made for the prevention of opium, or to the orders that have been given to deliver it up, just as though there was a causeless and vexatious detention. This only he has failed to consider, that had he really indeed been ready to command clearly all the foreigners to deliver up the opium in obedience to the commands given, should not I, the Commissioner, have then praised and encouraged him greatly? Or had he even abstained from giving such clear commands, yet if he had not proceeded to work upon and seduce the minds of all, to induce them to abscond, should I in that case have indeed taken the step of withdrawing the Compradores, and making inquiry regarding the vessel he came in? At this time, the offence of contumacious resistance and opposition is turned away from Dent, and fixed on Elliot. Even should I, the Commissioner, treat him with a partiality of leniency, yet, his country having long enjoyed the advantages of a commercial intercourse with Kwangtung, even for a period of two hundred years, if it shall find these advantages suddenly stopped and destroyed by the individual Elliot, will his Sovereign treat him with consideration and indulgence?

"'When on former occasions, foreign officers that have been here have failed to keep the laws, the nation aforesaid has several times gone to the full extent of the law in inflicting punishment upon them. Can Elliot not have heard of this?

"'Having received your communication as afore stated, it behoves me to request your Excellency the Governor, to be so indulgent as once more to enjoin it upon Elliot, that it is needful he should come to have a fear of crime, and a purpose to repent and amend; that he should give clear commands to all the foreigners to obey the orders, requiring them to take the opium on board the store ships, and speedily to deliver it up. Then not only the Compradores of individuals and of ships will be all restored as usual; but I, the Commissioner, with your Excellency the Governor, and the Lieutenant-Governor, will assuredly cease to go back into the past, and will lay our entreaties before the Great Emperor, that favours may be shown beyond the bounds of law. And thenceforward all the foreigners will conduct a legitimate trade, rejoicing in the exhaustless gains thereof. If, assuming a false garb of ignorance, he voluntarily draw upon himself troubles, the evil consequences will be of his own working out, and where shall he find place for after repentance?

"'Herewith is sent a proclamation, under four heads, which, while I send copies to the Hong merchants to be pasted up, I hope you will at the same time enjoin on Elliot, that he may have it translated and given to all the foreigners, for their information. I wait your reply, &c.'

"Upon the receipt of the above, I, the Governor, proceed to issue this injunction, requiring of the Prefect instantly to take with him the two magistrates of Nanhae and Pwanyu, and to act in obedience to what is contained in the communication from His Excellency the Imperial Commissioner, enjoining the commands on the said Superintendent Elliot, that he may without fail obey.'

Having received this, he (the Prefect) proceeds at once to issue commands. When

When these reach the said Superintendent Elliot, let him pay immediate obedience.

Let there be no opposition to these commands.

Taoukwang, 19th year, 2nd month, 12th day. (26th March, 1839).

(L.S.) of the Kwang-Chow-Foo.
(L.S.) of the Nanhae magistrate.
(L.S.) of the Pwanyu magistrate.

True Translation.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 18 in No. 146.

Captain Elliot to the Imperial Commissioner.

Canton, March 27, 1839.

ELLIOT, &c., &c., has now had the honour to receive, for the first time, your Excellency's commands, bearing date the 26th day of March, issued by the pleasure of the Great Emperor, to deliver over into the hands of honourable officers to be appointed by your Excellency, all the opium in the hands of British subjects.

Elliot must faithfully and completely fulfil these commands; and he has now respectfully to request that your Excellency will be pleased to indicate the point to which the ships of his nation, having opium on board, are to proceed, so that the whole may be delivered up.

The faithful account of the same shall be transmitted as soon as it is ascertained.

(Signed) CHARLES ELLIOT.

Inclosure 19 in No. 146.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow Foo, issues commands to the English Superintendent, Elliot, for his full information.

He has now received the within commands from Lin the High Imperial Commissioner, and Governor of Hookwang.

"This day it appears the following prepared address has been presented by the English Superintendent, Elliot:

[*The Address of March* 27 (*Inclosure* 18) *is here inserted.*]

"Upon this coming before me, the Commissioner, I forthwith reply:

"The representation that, in obedience to the commands, he will deliver up the opium, manifests a respectful sense of duty and understanding of matters. I find that the store ships at present in these seas, are, in all, twenty-two; and the general amount of the opium they have on board, I am already informed of by my inquiries. The Superintendent can have no difficulty in instantly ascertaining from all the foreigners in the factories the precise amounts, and immediately writing out and presenting a clear statement thereof, to enable me, the Commissioner, in conjunction with the Governor, at once to declare a certain period, when we will ourselves go to receive what is delivered up. He must not make an untrue report, lest he bring on himself the offence of concealing, deceiving, and passing over. Beware of this!

"I proceed to direct that commands be enjoined, and to this end addres-my commands to the Prefect of Kwang-Chow-Foo, requiring that he pay immes diate obedience, and make known to the Hong merchants my reply, for them to

the commands to the said Superintendent Elliot, in order that he may obey the same. A special order."

Upon the receipt hereof, he (the Prefect) proceeds to issue commands. When these reach the said Superintendent Elliot, let him immediately act in obedience thereto, and instantly ascertain from all the foreigners in the factories, what is the precise amount of opium on board the store ships now in these seas, and at once let him write out and present a clear statement thereof.

Let there be no opposition to these commands.

Taoukwang, 19th year, 2nd month, 13th day. (27th March, 1839.)

(L.S.) of the Kwang-Chow-Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 20 in No. 146.

Public Notice issued by Captain Elliot to British Subjects, requiring them to deliver up to him all British-owned Opium, either in their possession or under their control.

Circular.

Canton, March 27, 1839.

I, CHARLES ELLIOT, Chief Superintendent of the trade of British subjects in China, presently forcibly detained in Canton by the Provincial Government, together with all the merchants of my own and the other foreign nations settled here, without supplies of food, deprived of our servants, and cut off from all intercourse with our respective countries (notwithstanding my own official demand to be set at liberty, so that I might act without restraint), have now received the commands of the High Commissioner, issued directly to me under the seals of the honourable officers, to deliver over into his hands all the opium held by the people of my country.

Now I, the said Chief Superintendent, thus constrained by paramount motives affecting the safety of the lives and liberty of all the foreigners here present in Canton, and by other very weighty causes, do hereby, in the name and on the behalf of Her Britannic Majesty's Government, enjoin and require all Her Majesty's subjects now present in Canton, forthwith to make a surrender to me, for the service of Her said Majesty's Government, to be delivered over to the Government of China, of all the opium belonging to them, or British opium under their control; and to hold the British ships and vessels engaged in the trade of opium subject to my immediate direction, and to forward to me, without delay, a sealed list of all the British-owned opium in their respective possessions; and I, the said Chief Superintendent, do now, in the most full and unreserved manner, hold myself responsible for and on the behalf of Her Britannic Majesty's Government, to all and each of Her Majesty's subjects surrendering the said British-owned opium into my hands to be delivered over to the Chinese Government; and I, the said Chief Superintendent, do further specially caution all Her Majesty's subjects here present in Canton, owners of, or charged with the management of opium, the property of British subjects, that, failing the surrender of the said opium into my hands, at or before six o'clock this day, I, the said Chief Superintendent, hereby declare Her Majesty's Government wholly free of all manner of responsibility or liability, in respect of the said British-owned opium.

And it is specially to be understood that the proof of British property and value of all British opium surrendered to me agreeably to this notice shall be determined upon principles, and in a manner hereafter to be defined by Her Majesty's Government.

Given under my hand and seal of office, at Canton, in China, this twenty-

twenty-seventh day of March, in the year of our Lord one thousand eight hundred and thirty-nine, at six of the clock in the morning.

(L.S.) (Signed) CHARLES ELLIOT,
Chief Superintendent of the Trade of British Subjects in China.

Inclosure 21 in No. 146.

Captain Elliot to the Imperial Commissioner.

Canton, March 28, 1839.

ELLIOT, respectfully referring to your Excellency's commands, has now the honour to signify, that he holds himself strictly responsible to your Excellency, as the High Commissioner of the Great Emperor, faithfully, and with all practicable dispatch, to deliver up as may be appointed, 20,283 (twenty thousand two hundred and eighty three) chests of British-owned opium, which he yesterday required of the people of his country, in the name of his Sovereign.

But as it appears upon inquiry that considerable quantities of the said 20,283 chests are not at places within the immediate reach of this port, Ell must request that your Excellency will be pleased to accept his solemn public pledge, that every chest shall be delivered up as it falls into his possession, until the whole amount of 20,283 chests shall be within the hands of your Excellency. And if Elliot dares to break that solemn public pledge in the least degree, he would most assuredly draw upon his own head the severest displeasure of his own Sovereign.

Elliot, however, is the officer of the English nation only, and your Excellency will, therefore, see that it is not in his power to require men of other foreign nations to deliver him their opium.

It remains for him to offer the expression of his highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure 22 in No. 146.

The Prefect of Canton to Captain Elliot.

CHOO, Prefect of Kwang-Chow-Foo, issues commands to the English Superindent, Elliot, for his full information.

He has now received the within injunction from his Excellency Lin, the High Imperial Commissioner and Governor of Hookwang.

"The English Superintendent Elliot has presented an address, of the following tenor:—

[*The address of March* 28 *(Inclosure* 21*) is here inserted.*]

"Upon this coming duly before me, the Commissioner, I proceed to reply.

"By this address it appears, that the amount of opium has been ascertained, and the needful examination and receipt thereof are respectfully awaited. The real sincerity and faithfulness thus shown, are worthy of praise. I find that the amount of 20,283 chests, stated by the said Superintendent, has reference only to such as is brought by the English foreigners.

"I, the Commissioner, have assuredly no suspicion that there is any

insincerity behind. And the statement that there is some at other ports elsewhere, I presume also to be the fact. But I have considered that, before the issuing of the orders to deliver up, it is difficult to feel assured that there has been no opium laid up in the several foreign factories, nor any brought in the various vessels at Whampoa. The question does not now stop with what is in deposit on board the store ships, but at this time, when punishment is not to be inflicted on past offences, it is essential that all the opium, wherever laid up, should be completely surrendered. Assuredly the offences of those who have before laid up a store thereof, shall not be visited upon them.

"I have now, in conjunction with the Governor and Lieutenant-Governor, determined on the rules to be observed in regard to the delivery of the opium. Besides sending a copy thereof separately to the Prefect of Kwang Chow Foo, that he may desire the Hong merchants to make known the same, I also require of the said Superintendent, instantly to ascertain what quantity of opium there may be in the foreign factories; and on the 29th, officers shall be deputed to receive the same; what quantity of opium there may be on board the ships at Whampoa, to examine and receive which officers shall be sent on the 30th; and what quantity there is on board the twenty-two store ships outside, to examine and receive which, I, the Commissioner, and the Governor, will ourselves go to the Bocca Tigris. Whatever there may be stored up at other ports, since the said Superintendent has promised to deliver up the whole, he should of course be held responsible for the delivery of, from time to time, as it shall arrive. Should the amount be in excess of the 20,283 chests, it must still be fully surrendered. In so doing, the sincerity of the purpose will be shown. And assuredly no blame shall be attached to the inaccuracy of the original report, on account of such excess.

"Besides this, the American, French, and Dutch nations have also Consuls in superintendence of affairs, to whom orders have now been given in like manner to pay obedience, and speedily to represent the real amounts, waiting till examination can be made, and the whole received. Though the said Superintendent be peculiarly charged with the controul of the English foreigners, yet having been permitted by the Crown, in consequence of the Governor's representations, to remain as Superintendent in the foreign factories, he should spread abroad his monitions, so that all may speedily deliver up what opium they have, so as to enable us to memorialize the throne conjointly, and request a conferment of favours from the Great Emperor, in order to afford encouragement and stimulate exertion. Now is the time for the foreigners of all nations to repent of their faults, and pass over to the side of virtue. This is the day and time for reformation; and if embraced, the enjoyment of unending advantages will be the result. Let none on any account make excuses, or seek delay, so as to incur cause for future repentance.

"I proceed to issue commands, requiring obedience. And to this end I give my injunctions to the Prefect of Kwang Chow Foo, requiring him immediately to transmit directions to the Hong merchants, to enjoin the commands on Elliot, to be without fail by him obeyed."

This having been received, he (the Prefect) proceeds to issue commands. When these reach the said Superintendent Elliot, let him pay immediate obedience. Let there be no opposition to these commands.

Taoukwang, 19th year, 2nd month, 14th day. (28th March, 1839.)

(L.S.) of the Kwang-Chow-Foo.

True Translation.

(Signed) J. Robt. Morrison,

Chinese Secretary and Interpreter.

Inclosure 23 in No. 146.

The Prefect of Canton to Captain Elliot communicating four Rules for the delivery of Opium.

CHOO, Prefect of Kwang-Chow-Foo, issues commands to the English Superintendent, Elliot, for his full information,

He has now received an injunction from Lin, the High Imperial Commissioner and Governor of Hookwang, sending out four rules for the delivery of opium, which he transmits for immediate obedience. Be there no opposition. A special command.

RULES.

First.—The opium to be delivered up, as promised in the address, was not intended to have reference peculiarly to the store ships. Whatever may be laid up in the foreign factories, or on board the ships at Whampoa, the said Superintendent is required first to deliver up: all that there may be in the factories he is required to have removed on the 29th, to the outside thereof, there to await the deputing of officers to examine and take charge of the same. As to the ships at Whampoa, he is instantly to draw up a clear statement of the amount of opium in chests on board any of them by name, and to write in readiness, foreign letters to be handed in to government; it being determined to depute an officer on the 30th, to proceed, with chop-boats and tea-boats to examine and take charge of the same.

Secondly.—To the twenty-two store ships, which have of late been anchored off Lintin, in the Macao Roads, and elsewhere, the said Superintendent is also required to address foreign letters, that they may immediately proceed to make delivery. Officers shall be in the first place deputed to carry the letters, and give commands to the store-ships to cast anchor near to the Sandy-Head Offing, (one of the headlands of the Bogue,) and then and there they must respectfully await the arrival at the Bocca Tigris, of their Excellencies the Imperial Commissioner and the Governor, personally, between the 31st of March and the 2nd of April, when they shall, ship by ship, submit the opium to be examined and taken charge of by their Excellencies, in concert with the naval Commander-in-Chief.

Thirdly.—The foreigners of his nation residing in the foreign Factories at Macao, must also be required to convey any opium they have in store, to the port of Sandy-Head, there to be in course of time examined and taken charge of.

Fourthly.—Foreign vessels bringing opium from beyond sea, and being anchored in sundry and distant places, not near to the Bocca Tigris, the said Superintendent and the several Consuls are constantly in communication with them, and their courses are well known: they should be required, therefore, to write and have in readiness foreign letters, and to point out plainly the places in which the vessels are anchored, delivering such letters in to Government, until officers shall be deputed to take and give them to the parties, who must bring their ships, with the opium on board, to the port of Sandy-Head, where, as they arrive, the opium shall be delivered. There must not be the least concealment or delay.

Taoukwang, 19th year, 2nd month, 14th day. (28th March, 1839.)
(L.S.) of the Kwang-Chow-Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 24 in No. 146.

Captain Elliot to the Imperial Commissioner.

Canton, March 28, 1839

ELLIOT, &c., &c., has the honour to signify to your Excellency, that if any of the ships of his nation, having opium, at the outside anchorages, alarmed by his detention, and the severe proceedings of the Government, shall take advantage of the north wind to sail away, Elliot is still, according to the customs of his nation, most severely responsible till every chest of the 20,283 be delivered into the hands of the Government. He will be bringing disgrace upon his nation, and his Sovereign will punish him with the last degree of displeasure, if he breaks faith in the smallest degree.

But shut up as he is, he knows not where the ships are; and not being able to send them orders to stay, it is his duty to state most clearly, that if they are gone he is still responsible to his Sovereign till the whole 20,283 chests be delivered up.

Taking all these circumstances into consideration, Elliot trusts that your Excellency will be pleased to confide to his justice and truth, the faithful delivery of the opium on board the outside ships, as it falls into his possession, in the manner which he may find practicable when he is set at liberty.

By this expression he means only, that the native servants should be restored to the people of his country; that they should be permitted to purchase their supplies of food; and that the intercourse between Canton, Macao, and the outer anchorages in the licensed passage boats, should be re-opened; Elliot himself remaining in Canton till the whole be delivered.

With regard to opium at Canton and Whampoa, Elliot, and all the men of the foreign nations, have already taken most severe proceedings, as your Excellency will find by reference to the late records, when it was faithfully reported that all was gone.

Elliot has now respectfully to announce to your Excellency, that whilst he, and all the men of his nation, continue prisoners, the disposal of these matters is not in his hands. For, according to the customs of his country, the orders of persons in confinement are of no avail; thus, the ships will not obey his injunctions until it be known that he and all the people of his nation are set at liberty.

(Signed) CHARLES ELLIOT.

Inclosure 25 in No. 146.

The Prefect of Canton communicating the commands of the Imperial Commissioner in reply to Captain Elliot's Address (Inclosure 24*).*

CHOO, by special appointment, Prefect of Kwang-Chow-Foo, issues commands to the English Superintendent, Elliot, for his full information.

He has now received the within injunction from Lin, the High Imperial Commissioner and Governor of Hookwang.

"Upon the 29th instant, the English Superintendent, Elliot, presented an address requesting that as usual the compradores and servants should be allowed to furnish the daily supplies of food, and the passage-boats should be permitted to run between this, the outer anchorages, and Macao; he still remaining in Canton until the whole amount of opium shall be completely delivered up.

"On

"On this duly coming before me, the Commissioner, I proceed to reply.

"Yesterday the said Superintendent, when addressing me in reply, promised for himself, that he would certainly deliver up the opium of his nation, to the amount of 20,283 chests, surrendering the whole quantity as he should bring it into his hands. I therefore answered in his praise, and at the same time clearly gave directions in regard to the places where, and time when, the delivery should be made. And I besides sent in a separate form, a list of Rules, and required of him to write foreign letters (or orders) to enable me to depute officers to proceed therewith to the store-ships, and call on them to make the delivery. This was a most simple, convenient, and easy mode of proceeding. If the said Superintendent were really acting with sincerity of purpose, he certainly should have speedily proceeded to obey commands. Though he say, that in the foreign Factories, and on board the ships at Whampoa, there is now no opium, yet the opium laid up on board the twenty-two store-ships, is all deposited therein by the foreigners residing in the factories. Ordinarily, when combining with Chinese traitors to dispose thereof clandestinely, it has been always practicable to obtain foreign orders written at the factories, and giving the same to the fast boats to proceed therewith outside and get possession of the commodity. How is it then that on this occasion, when surrendering the opium, there is no knowledge of this mode of operation?

"In the present address, it is represented, that now, while the north wind is blowing, it is feared that vessels outside, having opium on board, may perhaps set sail and go away. Now I find that of late the store-ships have all returned to Lintin, Macao Roads, and other anchorages, and there remained; doubtless, because they have heard that commands have been issued requiring delivery of the opium, and therefore have not dared to sail far away. They are yet disposed to await and pay obedience; while you would desire to stir them up and make them go. I would ask, seeing that you have taken on you the responsibility in this matter, how, if the store-ships should dare to sail away, you will be able to sustain the heavy criminality attaching to you?

"The address talks too of close restraint, as if it were imprisonment, which is still more laughable. I find that from the 18th March, when the commands were given to all the foreigners to deliver up their opium, every thing remained as usual, until the 24th, when you came in a boat to Canton, and that night wished to take Dent and abscond with him. It was after this that cruizers were stationed to examine and observe all that went in and out. It was because you were void of truth and good faith, that it became unavoidably necessary to take preventive steps. As to the compradores and others, they are in fact Chinese traitors, who would also suggest absconding and escape. How then could the withdrawal of them be omitted? Yesterday, too, when you had made a statement of the amount of opium, I at once conferred on you a reward consisting of sundry articles of food. Is this the manner in which prisoners are ever treated?

"I, the High Commissioner, in conjunction with the Governor and Lieutenant-Governor, looking up to the Great Emperor, embody his all-comprehending kindness, and in our treatment of you foreigners of every nation, never go beyond these two words,—favour and justice. Such as display contumacy and contempt, how can they have aught but justice dealt out to them? But such as show a respectful sense of duty, shall assuredly be tenderly intreated with favor.

"Do you now simply command plainly all the foreigners with instant speed to prepare letters, and hand them in to Government, to enable it to give commands to all the store-ships to deliver up in orderly succession the opium. And as soon as this shall be delivered up, every thing shall without fail be restored to its ordinary condition. This requisition is indeed conformable to reason: what difficulty is there in complying with it? If, in place of speedily making delivery, you make pretexts for diverting attention, in the hope that after the strict preventive measures shall be withdrawn you may form some other scheme, who cannot see through such artful devices? And will you be enabled to make a repetition of such attempts?

"Besides deputing officers to proceed to the Hong merchants' Consoo House, there to give verbal commands, and so prevent delay, you are also hereby required to act speedily in obedience to this my reply. Do not again

be working at excuses and delay, thereby drawing on yourself cause for future repentance.

"I proceed to give this injunction requiring obedience: and to this end I enjoin the Prefect of Kwang Chow Foo, instantly to command the Hong merchants to give it in command to the said Superintendent Elliot, that he without fail pay obedience."

He (the Prefect) having received this, proceeds to issue the commands. On these reaching the said Superintendent Elliot, let him speedily act in conformity with this reply. Let him not again set to work at making excuses and delaying, lest he draw on himself cause for future repentance.

Hasten! Hasten! A special command.

Taoukwang, 19th year, 2nd month, 15th day. (29th March 1839.)

(L.S.) of the Kwang-Chow-Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 26 in No. 146.

Captain Elliot to the Imperial Commissioner.

Canton, March 30, 1839.

ELLIOT, being anxious to discharge his obligations to your Excellency with all practicable dispatch, has the honour to acquaint your Excellency that he has now issued instructions to Mr. Johnston, the Deputy Superintendent, requiring him forthwith to proceed outside and deliver into the hands of the honourable officers, 20,283 (twenty thousand two hundred and eighty-three) chests.

It is desirable therefore, that the intercourse, by the licensed passage-boats, should be opened as soon as possible, in order that Mr. Johnston may proceed to Lintin, and there assemble all the ships for the purpose of convenient delivery.

The inclosed is the order to Mr. Johnston for the delivery of the opium.

(Signed) CHARLES ELLIOT.

Sub-inclosure in Inclosure 26 in No. 146.

Sir, *Canton, March* 30, 1839.

I HAVE now to instruct you to deliver over to the officers of the Chinese Government, with the least possible delay, twenty thousand two hundred and eighty-three chests of opium; and for the more convenient and rapid discharge of that duty, you will be so good as to assemble all the British outside shipping at Lintin.

You will report to me at Canton the quantity delivered by every opportunity which presents itself, to the end that I may communicate the same to the High Commissioner, from time to time.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

A. R. Johnston, Esq.,
Deputy Superintendent.

Inclosure 27 in No. 146.

The Prefect of Canton to Captain Elliot, returning the order on Mr. Johnston for the 20,283 *Chests.*

CHOO, by special appointment, Prefect of Kwang Chow Foo, issues commands to the English Superintendent Elliot, for his full information.

On the 31st March, 1839, he received from Lin, the High Imperial Commissioner and Governor of Hookwang, the within official injunction.

"On the 30th March, 1839, the English Superintendent, Elliot, presented the following address.

[*The address of March* 30 (*Inclosure* 26) *is here inserted.*]

"Upon this duly coming before me, the Commissioner, I forthwith reply.

"This address represents, that the Deputy Superintendent Johnston shall be sent outside to call together all the vessels, and deliver up the whole amount of opium; and gives conveyance to an order to him for my perusal. I, the High Commissioner, have carefully examined the terms of this order, and though I find therein nothing improper, yet considering that in a previous address, the said Superintendent stated that, taking on him the power intrusted to him by his Sovereign, he had required of the people of his nation immediately to deliver up the whole of the opium; it is plain to me, that as the said Superintendent has the power of making such a requisition, he can have no difficulty in giving orders directly to all the store-ships; and what necessity, then, is there for committing the matter to Johnston, and thus multiplying the twists and bends of the transaction?

"I, the High Commissioner, have given reiterated official replies, requiring of all the foreigners to write orders themselves, on the ground that, in the ordinary manner of selling the opium, they have always thus disembarked the goods, without committing an error once in a hundred times. Why, then, is not the opium surrendered in this comparatively simple, convenient, and easy way?

"Let me now weigh the matter for you. The said Superintendent having the power to act, and having repeatedly acknowledged before me his responsibility, can have not the smallest loop-hole of escape therefrom. How can he possibly have the power to require of all the foreigners to deliver up the opium, and yet not have the power to require that they write orders for the same? It is his duty, then, immediately to pay obedience to my reiterated instructions, and speedily to require of all the foreigners severally, to write foreign orders for the number of chests of opium they have on board each vessel by name, and to present the same to Government through the said Superintendent, covered by a general order from himself, that these being conveyed to the store-ships they may in orderly succession make delivery. The earlier the day of the complete delivery, the earlier will be the day for the commercial intercourse to resume its ordinary course, not stopping merely at the giving permission to the passage boats to run.

"The said Superintendent must know that I, the Commissioner, give my commands and cautions in full sincerity, and he must speedily pay implicit obedience. He must not be turning inconstantly this way and that, bringing thereby criminality and cause of sorrow on himself.

"The foreign order is sent back herewith.

"I proceed to give injunctions, requiring the said Prefect immediately to direct the Hong merchants to give it in command to the said Superintendent Elliot, that he, without fail, pay obedience."

He (the Prefect) having received this, proceeds forthwith to issue commands.

When these reach the said Superintendent, let him immediately pay obedience. Be there no opposition. A special command.

Two papers, being foreign orders, are returned herewith.

Taoukwang, 19th year, 2nd month, 18th day. (1st April, 1839.)

(L.S.) of the Kwang Chow Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 28 in No. 146.

Memorandum transmitted by Captain Elliot to the Prefect of Canton to be laid before the Imperial Commissioner.

Canton, April 1, 1839.

ELLIOT, &c., &c., desires to send Mr. Johnston to deliver up the opium, for no other object than that of clear and orderly arrangement; it being requisite that a person should be sent on board the vessels, to take note of each delivery, and so prevent error or confusion.

For Elliot having in the present case to deliver up all the opium, is by no means in a similar position to that of individual merchants in ordinary times selling small amounts. And these merchants having now given into his hands all the opium to be held by him, on account of his nation, though the merchants should send orders on board the vessels, they would be utterly useless. It is on these accounts absolutely requisite that a person should proceed to each vessel; for so alone can all the opium be delivered.

And Elliot is willing to give the fullest assurance, that whenever Mr. Johnston shall be enabled to proceed in a chop-boat to Macao, and the cutter *Louisa* to proceed outside with instructions to the store-ships, Mr. Johnston shall at once bring the vessels to the anchorage of Lankeet. The business being a troublesome one, which cannot be managed in a moment, he would then solicit his Excellency the Commissioner to be pleased to direct a certain amount to be at once surrendered to Government, as an evidence of his sincerity; and then to command that affairs in the factories at Canton be restored to their ordinary condition; when Mr. Johnston shall continue to deliver from time to time all the opium, to the full amount of 20,283 chests.

These are the words of truth and sincerity, and shall not be departed from.

If it be said that Elliot or Johnston would procrastinate and trifle with this matter, seeking to avoid delivering the full amount, it is replied that such conduct would be in the last degree derogatory to the dignity of their Sovereign. And should those officers break faith in the smallest particle, they may be punished with death, and their Sovereign, severely indignant at their offence, would not regard their punishment.

(Signed) CHARLES ELLIOT.

Inclosure 29 in No. 146.

The Imperial Commissioner to Captain Elliot, prescribing terms for the delivery of the 20,283 *Chests of Opium.*

LIN, the High Imperial Commissioner of the Celestial Court, gives commands to the English Superintendent, Elliot, for his full information.

Upon the 1st of April, the said Superintendent gave the following voluntary pledge.

[*An Extract of the Memorandum of April* 1 (*Inclosure* 28) *is here inserted.*]

I, the High Commissioner, having looked over the terms of this pledge, find that they are such as emanate from perfect sincerity. I will then, in concert with the Governor of the two Kwang, depute civil and military officers, who, taking under their command Hong merchants and linguists, shall agree and fix upon a time, when they will take Johnston with them on board a chop-boat, and proceed outside the port, that he may direct the store-ships to repair to the anchorage of Lankeet, and deliver up the opium. There, in sections of two vessels at a time, they shall submit it to examination, and surrender it.

In addition to this, having reference to the request that an amount should be named for prior delivery, as an evidence of sincerity, I have considered that the English opium on this occasion to be delivered up, amounting to 20,283 chests, cannot indeed be completely surrendered in one or two days, and I have therefore determined on the following terms: that when one-fourth part shall have been delivered, the compradores and servants shall immediately be restored; when one-half shall have been delivered, consideration being had thereto, the passage-boats shall be allowed to apply for passes, and upon examination to run to and fro; when three-fourths shall have been delivered, the removal of the embargo and freedom of trade shall be at once granted; and when the whole shall have been surrendered, every thing shall return to its ordinary condition, and a request shall be laid before the throne that encouragement and reward may be conferred.

Should the said Superintendent, &c., be unable rightly to give commands to the store-ships, and should error and breach of faith so result, it is requisite, in view of such a case, to prescribe terms of warning. If there be any erroneous delay for three days, the supply of fresh water shall be cut off; if for three days more there be like delay, the supplies of food shall be cut off; and if such delay continue still three days longer, the laws shall forthwith be maintained and enforced. There can be no indulgence shown.

For this purpose, I address my commands in a direct form, requiring implicit obedience. Oppose not special commands.

Taoukwang, 19th year, 2nd month, 19th day. (2nd April, 1839.)

(L. S.) of the Imperial Commissioner.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 30 in No. 146.

Captain Elliot to the Imperial Commissioner.

Canton, April 3, 1839.

ELLIOT, &c., has had the honour to receive your Excellency's commands, and is willing to conform to these directions, as soon as it is clearly explained that Johnston shall proceed in the first place to Macao, with the officers and the Hong merchants; that his own boat shall leave Whampoa at the same time; and that Johnston should then be allowed to go free on board Elliot's boat, and assemble the ships two by two at Lankeet for the delivery of the opium.

In this manner alone, the full and rapid performance of your Excellency's commands is easy of fulfilment.

(Signed) CHARLES ELLIOT.

No. 147.

Captain Elliot to Viscount Palmerston.—(Received August 29, 1839.)

(Extract.) *Canton, April* 3, 1839.

IN my position, and with my thoughts intensely fixed upon the difficulties that have befallen this great trade, I may spare your Lordship the language of excuse for the following matter.

It is my first duty to express a plain conviction, that no efforts of Her Majesty's Government, either of negotiation purely, or of negotiation supported by arms, could recover, for trade to be carried on at Canton, such a degree of confidence as would restore its late important extent. All sense of security has been broken to pieces.

In fact, my Lord, the first truth deducible from the actual proceedings of this Government, is strikingly momentous; namely, that a separation from the ships of our country, on the main land of China, is wholly unsafe.

The movement of a few hours has placed the lives, liberty, and property of the foreign community in China, with all the vast interests, commercial and financial, contingent upon our security, at the mercy of this Government. And if this fearful intelligence reaches England and India before the news of our liberation, and before that of the reassuring measures which I felt myself called upon to take, I am greatly afraid that the shock will be incalculably heavy, and most widely felt. Indeed, before I leave this part of the subject, I would presume to express the anxious hope, that Her Majesty's Government will see fit, as soon as these despatches come to hand, to make such a declaration concerning its general intentions, as will have the effect of upholding confidence.

I am writing this despatch, my Lord, in a moment of anxiety, and I close it abruptly, to save the opportunity of Mr. Johnston, who is leaving us in our confinement, as your Lordship will observe by the narrative despatch, in a sudden manner.

This is our first intercourse, of a sure kind, with our countrymen and families outside for twelve days.

No. 148.

Captain Elliot to Viscount Palmerston.—(*Received September* 21, 1839.)

My Lord, *Canton, April* 6, 1839.

I RESUME my anxious task, taking up the narrative from the date of Mr. Johnston's departure to Macao on the 3rd instant.

The blockade has not relaxed,—indeed, judging from the increased rareness with which we receive information from below, the reverse is the case.

We are without further intelligence than I recorded in my last despatch. In other respects our situation is the same.

Yesterday forenoon Howqua and Mowqua visited me, and brought me the draft of a bond, which they said had just been placed in their hands by an officer deputed by the High Commissioner. I returned it to them; but in the course of the afternoon they left a copy of the same paper with the General Chamber of Commerce.

Last evening I received the accompanying official paper on the same subject, to which I made no reply; and this afternoon a direct address from the High Commissioner himself, enjoining the execution of this monstrous instrument. To-morrow being Sunday, no reply need be made; but on the next day I shall return the answer now transmitted, and if we are ever free, the more practical and fit reply will be the withdrawal of all the Queen's subjects from the grasp of this Government. It has seemed to me, however, that the direct avowal of such a purpose at present would have the effect of increasing the great risks and discomfort of our situation. Trade with China at any point remote from the station of our ships, as I have already observed to your Lordship, is no longer a possible state of circumstances.

On reconsidering the public correspondence already transmitted, I find that the High Commissioner boldly fastens our actual condition of imprisonment on my intention to make my escape, taking with me Mr. Dent.

The facts shall answer his Excellency. On the 19th ultimo all intercourse between Canton, Whampoa, and the outside anchorages was authoritatively stopped by the commands of this Government, and not a single ship's boat has succeeded in getting from Canton to Whampoa since the 21st ultimo, or (excepting my own on the 24th at the risk of my life) from Whampoa to Canton up to this date, 6th April. I did not leave Macao till the 23rd March. On the 24th I passed through the Bogue, and there I fell in with the British ship the *Heroine*, detained (notwithstanding the perfect formality of her pass) upon the express ground that "householders" might attempt to escape on board of her.

So much for the implication that all was open till I came in, with the intention to run out. Your Lordship will know that I came here to do my duty, which was to place myself, if possible, between the fearful proceedings of his Excellency and Her Majesty's subjects, and, if I could not ward them off, at least to share them.

This rash man is hastening on in a career of violence, which will react upon this empire in a terrible manner.

I am sensible, my Lord, that the whole body of reasoning governing my proceedings throughout the momentous affairs cast upon me, will demand a separate and detailed exposition. But situated as I am, uncertain of the means of communication, or opportunities of leisure which may be afforded to me, I feel assured your Lordship will pardon me for noting any reflections that may occur to me in this detached and occasional way.

Before the arrival of the High Commissioner, I had steadily considered the expediency of formally requiring all the British ships engaged in the opium trade to sail away from the coasts of China. But the objections to that measure were very strong, and the result has proved that I took a sound view in refraining from it.

In the first place, it was remembered that the late frequent changes of policy of the Government in relation to this trade, left it a matter of perfect

doubt to the very day before the Commissioner's first edicts appeared, whether the avowed purposes were to be depended upon or not, or whether the object was merely the extensive check of the trade, by subjecting it to heightened temporary inconvenience, and exacting some considerable fees for the price of its future relaxation.

Although I had certainly come to the conclusion, for some months since, that the determination of the Court to put down the trade was firmly adopted, I had neither then nor now formed such a judgment of its power effectually to accomplish that object. And it behoved me to pause most gravely before I committed Her Majesty's Government to any direct concernment with this delicate subject, and immense mass of property, upon my personal opinions; or, without the strongest public necessity, immediately affecting the safety of the lives and general interests of Her Majesty's subjects.

It should be added, too, that my own opinions were contradicted, in a strong practical form, by the persons most deeply interested; for the increasing imports proved that there was no real and general apprehension of the measures which have been taken.

But an additional and pressing motive for caution in this respect arose from my conviction, that, be the traffic carried on how it might, the time had arrived when the merchants engaged in the trade at Canton must resolve to forego their connexion with it. And I was of opinion that the continuance of the shipping on the spot might enable them all frankly to meet any reasonable advances on the part of the High Commissioner, with plain and respectful statements, setting forth their readiness to abandon the further pursuit of the trade entirely; but soliciting time and reasonable opportunities, upon the ground of the long course of connivance it had enjoyed; and upon the great impulse it had so lately received by the public preparations of the Imperial Government to legalize it.

Up to a very late date, my Lord, no portion of the trade to China has so regularly paid its fees to the officers of this and the neighbouring provinces, high and low, as that of opium; and, under all the circumstances of the case, I am warranted in describing the late measures to be those of public robbery, and of wanton violence on the Queen's officers and subjects, and all the foreign community in China.

In my despatch of March 30 last, I have already acknowledged to your Lordship that, looking to pressure of extreme urgency, I had made up my mind to incur very heavy personal responsibilities for the sake of peace and the general trade, concerning these ships. Once more referring your Lordship to my note to the Governor, dated at Macao, on the 23rd March, and a copy of which reached the Keun-Min-Foo on the same day, by the avowal of the chief pilot whose duty it was to deliver it, I would ask, upon what admissible principle the Government could make a prisoner of me? It was my fixed purpose, my Lord, when I left Macao, to afford every reasonable satisfaction concerning the immediate withdrawal of this property, unquestionably drawn here by a long course of encouragement on the part of this Government; and either to cause the merchants of my country, engaged in trade at Canton, to make solemn promises that they would abstain from connexion with the opium traffic in future, or myself, on the part of Her Majesty's Government, to undertake that no reclamation should be made if they were forthwith expelled.

I must confess that I had contemplated these gravest responsibilities with intense uneasiness; but for the sake of the considerations I have noticed, and mindful of the character of the trade, I should not have shrunk from them, if I could have drawn from this Government reasonable securities for the future, and moderate explanations concerning the past.

But, my Lord, when I arrived at Whampoa, on the 24th ultimo, and learnt that this intemperate man had absolutely begun to work out the dark threats involved in his edicts, against the merchants of my country, I saw that there was no hope of accommodation by such means as I had considered. His purposes were plain; and it was my clear duty to let them reach me, and not the merchants acting principally for absent men, and therefore wholly incapable of taking consentaneous courses, or any other than those which

would

would lead to separate and ruinous surrenders of all this immense mass of property.

The surrender of the property at the first public summons was founded upon the clear perception, that the demand without alternative of any kind, under the circumstances of strictest and most unprovoked restraint, faithfully described in my public notice, (Inclosure No. 20 in my despatch of March 30) was an act of forcible spoliation of the very worst description, justly leaving to Her Majesty the right of full indemnity and future security.

The situation of this peculiar property has been entirely altered by the High Commissioner's proceedings; and his continuance of the state of restraint, insult, and dark intimidation, subsequently to the surrender, has certainly classed the whole case amongst the most shameless violences which one nation has ever yet dared to perpetrate against another.

It is not by measures of this kind that the Chinese Government can hope to put down a trade, which every friend to humanity must deplore; great moral changes can never be effected by the violation of all the principles of justice and moderation. The wise course would have been to make the trade shameful, and wear it out by degrees in its present form. The course taken will change the manner of its pursuit at once, cast it into desperate hands, and with this long line of unprotected coast, abounding in safe anchorages, and covered with defenceless cities, I foresee a state of things terrible to reflect upon.

Perhaps, indeed, the chief mischief of the actual proceedings, is the evil feeling of revenge they will unquestionably produce in the minds of the class of men, otherwise disposed to engage in the traffic for the mere love of gain; they will seem to justify, in the consciences of such persons, every species of retaliation. Indeed, I feel assured, that the single mode of saving the coasts of the empire from a shocking character of warfare, both foreign and domestic, will be the very prompt and powerful interference of Her Majesty's Government for the just vindication of all wrongs, and the effectual prevention of crime and wretchedness by permanent settlement.

Comprehensively considered, this measure has become of high obligation towards the Chinese Government, as well as to the public interests and character of the British nation. There can be neither safety nor honour for either Government till Her Majesty's flag flies on these coasts in a secure position.

Canton, April 11, 1839.

The interval between the date of my last notice and the present, has been mainly occupied by the High Commissioner's pertinacious adherence to the demand for the execution of the bond, (Inclosure No. 1). The Inclosures Nos. 5 and 6, form the continued correspondence on that subject.

The American and Dutch Consuls have been similarly assailed, and have replied substantially in the same sense.

Prisoners in his Excellency's hand, I have not considered it expedient for the present to explain, that, whilst Her Majesty's Government will offer no objection to the principle, that the Emperor has the just right to make what laws seem good to him for the government of all persons in his dominions, there will remain, first, the right of remonstrance and its consequences to Her Majesty; secondly, the free election of departure to Her Majesty's subjects; and, thirdly, an inherent impossibility to the admissible execution of any legislation involving capital, and probably any other, punishment or liability, save expulsion, in respect of Her Majesty's subjects who may remain in China, till the laws, in the language of His late Majesty's instructions, shall be administered towards them "in the same manner in which the same are, or shall be, administered towards the subjects of China."

Denied all right of free intercourse, or appeal to the higher tribunals of the empire, the state of circumstances contemplated in the instructions does not exist.

Being on this subject, I should not omit to mention to your Lordship

that most of the foreign merchants in Canton had already signed and transmitted to the High Commissioner, a voluntary pledge, couched in very extensive terms, to the effect, that they would have no further connexion with the opium traffic. His Excellency, however, was not satisfied, and hence the bond.

I trust that I shall be able to avert any recurrence to intimidatory proceedings against the merchants, concerning this monstrous instrument, presented at a moment and under circumstances which intensely aggravate the responsibility that the High Commissioner is casting upon his country and himself. His Excellency, however, left Canton for the Bocca Tigris yesterday evening, to be present at the delivery of the opium; and I know not what effect my last address produced upon him.

But adverting to the demand I have made for time, (which I have made principally to turn aside a return of proceedings against the merchants,) I need hardly acquaint your Lordship that my first measure after we are set at liberty, will be to declare Her Majesty's Government irresponsible for the safety of British shipping or property which may enter this port subsequently to the date of my notice. And with the liberty and lives of Her Majesty's subjects in constant danger, pending their continued stay within the grasp of this Government, I shall further enjoin them all, in urgent terms, to quit the place with Her Majesty's establishment. My own departure will be regulated by the fulfilment of my public engagements to this Government.

We hear of the arrival of the ships at Lankeet, but the blockade continues very strict, and I am without letters from Mr. Johnston, since his departure on the 3rd instant. Your Lordship will judge of our separation from all intercourse with the ships and people of our countries, when I mention that I have not succeeded in getting one line from any person outside, since my imprisonment here on the 24th ultimo. It is to the great honour of a community principally composed of merchants unaccustomed to confinement and anxiety of this distressing nature, that their confidence in the protection of Her Majesty's Government is their sufficient support.

Canton, April 13, 1839.

I permit myself to refer your Lordship to the memorials laid before the Emperor relating to the opium question, which were transmitted, in a printed form, in my despatch of February 12, 1837. Their attentive consideration will be needful for the treatment of the grave public difficulties forming the subject of these despatches.

The memorial of the Governor and Lieutenant-Governor of these provinces (No. 4 of the series), in support of the legalization policy, was formally transmitted to the foreigners through the official organs of the Government, together with their own remarkable report (No. 3 of the series). The natural effect was an immediate and prodigious impulse to the trade; and dismissing all claim for moderation, arising from the considerations of the laxness of the Court (to use careful terms), and the long connivance of the officers, the fact now noticed should of itself have secured to this property, upon every ground of justice and sound policy, totally different treatment than has now been hazarded. The utmost conceivable encouragement, direct and indirect, upon the one hand, and sudden violent spoliation on the other, are the characteristics of the Chinese measures concerning the opium subject.

The institution of intimidatory proceedings against the merchants, the continued forcible detention of all our persons, the menaced privation of fresh water, of food, and of the life of Her Majesty's officer, form the heavy account of responsibilities which this Government has now incurred.

I am not ignorant, my Lord, that the sacredness of British life, liberty, and property, from sudden and most unjustifiable aggression, is an active principle of that spirit of Government which has placed us where we stand amongst the nations. And whatever portion of the uttermost fraction of expense Her Majesty in her magnanimity may be pleased to restore, the requirement of the whole certainly seems to be of highest obligation.

Such

Such a course is necessary, not for the sake of the value surrendered, or to be recovered by force, but for the effectual prevention of the like dark proceedings.

There is reason to believe, that the author of the rational policy advocated in these papers, was the great minister, Yuen Yuen, formerly Governor of these provinces, a man of singular moderation and wisdom, and probably more versed in affairs of foreign trade and intercourse, than any statesman in the empire. Heu-Nae-tse, who was an officer in this province, during his administration, is supposed to have acted under his guidance, and Yuen Yuen's concurrent retirement, or nearly so, from the inner council, by the Emperor's permission, with the late degradation of Heu-Nae-tse, is a circumstance which favors these views.

The adverse character of reasoning in these reports is less remarkable in my judgment, on account of the special hostility to the legalization of opium, than because of the general reactive and restrictive spirit concerning the whole subject of foreign intercourse.

This scheme of policy would necessarily acquire prodigious credit and force, if the present proceedings were lightly treated.

But from all I have been able to observe of the character of this Court, it seems to be a just inference that immediate and vigorous measures on the part of Her Majesty's Government will as suddenly and completely restore the wise and liberal party to the ascendant in the Emperor's Cooncils, as it was lately cast out.

At all events, the time has arrived when Her Majesty's Government must consent to the rapid growth of relaxation, or restriction, concerning foreign intercourse; the more sinister of which policy has prevailed for the moment, and is actually in harshest operation. In my own humble opinion, the Chinese Government is utterly without the spring of power to jerk back (if I may so have it) to the accomplishment of the present reactive purposes; in my mind, they can lead only to a safe setting aside by Her Majesty's prompt, powerful, and measured intervention, or to discreditable, but not less certain overthrow, by the movements of lawless men on the coasts.

Thus profoundly impressed, (and my practical opportunities of judging are so favourable, as to go far to compensate my inability to search such subjects with the needful spirit,) I cannot but express the anxious hope that Her Majesty's Government will find it easier, more just to itself, and more considerate to this Empire, to adjust the effects of the rash but impotent proceedings which emanate from the actual Councils of the Emperor, than to remedy, at some little later period, evils of a different and far more difficult nature.

It has sometimes occurred to me, that the uneasy temper of the Nepaulese and Burmese Courts, particularly on the subject of the residence of political agents, is not entirely unconnected with Chinese suggestion; neither can I dismiss from my mind the surmise, that the increasing indisposition of the Chinese to the foreign trade by the sea shores, may find some explanation in the existence of an establishment at Peking, which I need not advert to particularly; but whence the notion, that safer and more extensive commerce and intercourse might be carried on by the land frontier, would arise more naturally, than any suggestions favorable to the British Government, or to the protection of British trade.

Canton, April 17, 1839.

The correspondence (Inclosures Nos. 8 and 9) will inform your Lordship that our close captivity still continues: the servants, however, are coming back gradually; and I collect from a letter of Mr. Johnston's, dated on the 15th instant, that about one-half of the opium surrendered will be delivered to the officers of the Chinese Government to-morrow evening.

Canton, April 22, 1839.

Our confinement still continues, and the inclosures Nos. 10, 11, and 12, will place your Lordship in possession of the pretexts which the High Commissioner has put forward in justification of this protracted outrage.

The interruption of my communications with Mr. Johnston, at the Bocca Tigris, prevents me from knowing whether the one-half of the opium be actually surrendered. But I have no doubt that must be the case, and indeed His Excellency's last communication contains an avowal that he does not mean to keep his pledge in respect to the opening of the intercourse.

No circumstance shall disturb my determination to let him fill the measure of his responsibility. For I well know that remonstrance from a man in my present situation to a high Chinese officer, determined to be false and perfidious, can serve no other purpose than to furnish him with adroit turns in plausible palliation of his own conduct.

Appeals to reason or justice are out of the question; complaint would be unbecoming; and he would only wring the language of warning or indignation to his own advantage.

The necessary reply to all this violation of truth and right is a blow, and that it consists neither with my power nor authority to inflict. But when I am in a convenient situation for placing the real bearings of circumstances under view, your Lordship may be assured the task shall be performed calmly and plainly.

Yesterday the Hong merchants brought me a direct address under the seals of the High Commissioner, the Governor, and Lieut.-Governor, reiterating the demand for the bond. I tore it up at once, and desired them to tell their officers that they might take my life as soon as they saw fit; but that it was a vain thing to trouble themselves or me any further upon the subject of the bond. There had been men, I reminded them, with naked swords before our doors, day and night, for more than four weeks, and as it was to be presumed they had orders to kill us if we attempted to escape (though there had been no previous formality of a bond of consent) there could be no need for our bonds of consent to the killing of other people at some future period. It was competent for the Emperor of China to make what laws he saw good, incurring the risks of their execution, risks which it was not to be denied were very considerable, and about which they should hear more, when I could find a suitable occasion to treat so grave a subject.

Turning now to other things, I would beg to turn your Lordship's particular attention to the expressions significant of some purpose of indemnity or remuneration, which are to be found throughout the Commissioner's papers; and upon this point it is most material to observe that the first pretensions concerning the burning of the opium have entirely disappeared from the later documents.

Indeed, my Lord, I have ascertained beyond all doubt, that the surrender of this mass of property (under the declaration that it was taken away from Her Majesty's subjects in the name of Her Majesty,) has overturned the original schemes (of whatever nature they were), and that the High Commissioner has applied to the Court for orders concerning its disposal. In the meantime, he remains at the Bocca Tigris, superintending an elaborate examination, careful repackage, and classification of the opium into three sorts; carefulness which does not accord reasonably with destructive intentions. In my judgment, the main body of this opium, in fact all that is saleable, will be turned to the most advantageous account; and I confess I have a suspicion that the present spoliatory measures will end in the legalization of the trade, upon the footing of a Government monopoly, with probably some provision for the cessation of imports for one year, and perhaps a limited and annually decreasing amount, after the expiration of that period. This train of events is agreeable to the suggestions of the most enlightened Chinese statesmen; and the actual possession of at least one year's consumption, will enable the Government to commence its operation on the favorable footing of making the native consumers pay such prices as will place the Government in a situation to reimburse the foreign claimant fully for his opium, and leave a handsome surplus to go to the Imperial Treasury.

The actual price of opium in this city is certainly nothing under 1200 6ollars a chest? I learn that late deliveries have been made outside at about d00 dollars a chest. Your Lordship will judge how easily the Chinese Government may form a sufficient fund to defray the charge of indemnity.

However,

However, without prolonging this course of speculation, I may say that there is no doubt at all of the intention to pay something by some means.

Let Her Majesty's Government then think fit to respond to these tidings with an immediate and strong declaration that it will exact complete indemnity for all manner of loss; and I am well assured that such a communication alone will so hasten the purposes of the Chinese Government, and so extend the measure of remuneration (certainly already intended), that there will be nothing to seek for under that head by the time that force can reach these coasts. The demand of all others which the Chinese would least wish to meet at such a moment is one involving money payment.

I will not dismiss these remarks without taking the liberty to submit, in a brief form, the general impressions which are more and more forcibly fixing themselves upon me, as I attentively consider the whole subject of these despatches.

In the first place, it appears to me that the immense extension of our peaceful trade and intercourse with this empire is as certain as any event dependent upon human agency can be said to be.

Secondly.—That this object can alone be attained by immediate vigorous measures, founded upon the most moderate ulterior purposes.

Thirdly.—That as a more just, necessary, or favourable conjuncture for action never presented itself, so, upon the other hand, it cannot be cast away, except at the certain and immediate sacrifice of honourable trade and intercourse with the empire: and the production of such a condition of frightful evil as Her Majesty's Government will not bear to consider. And, lastly, that every man's just indemnity may be surely recovered from this Government.

Canton, May 4, 1839.

The monotony of our confinement till this date, has been interrupted by nothing except harassing rumours concerning Macao, forming the subject of other despatches.

But to-day an official paper has reached me (Inclosure No. 13) which your Lordship will observe opens out the way to all but sixteen persons.

I need not say that I shall not quit Canton till my public obligations are fulfilled, and never, except in the company of those of my countrymen whose names are mentioned in this paper.

I have just issued the accompanying circular (Inclosure No. 14), and at a future moment, when the present proposed purposes of relaxation are in train, and the Chinese less liable to excitement, which might have the effect of abruptly closing the door again, I shall promulgate the inclosed notice (Inclosure No. 15).

My last information from Mr. Johnston, dated on the 2d instant, reports the deliveries to be 15,501 chests; and I hope the whole will be completed in about ten days.

The present event furnishes a suitable occasion for closing this part of my report.

I have, &c.,

(signed) CHARLES ELLIOT,
Chief Superintendent.

Enclosure 1 in No. 148.

Proposed Bond regarding Opium.

A PREPARED voluntary bond. The English Superintendent Elliot, and the Deputy Superintendent Johnston, at the head of the English merchants M. N., the country merchants O. P., the Moorish merchants Q. R., the —— merchants S. T., and the —— merchants U. V., hereby fully and earnestly bind themselves for ever to cease from opium.

They thus bind themselves: That, whereas the merchants of the English nation and its dependencies, during their long continued commercial intercourse

with the province of Kwangtung, have been thoroughly imbued with the dewy influences of the favour of the Celestial Court, and have rejoiced in the acquisition of unbounded gains; but of late years, a gain-seeking set of men have clandestinely brought the filthy opium, have stored it up on board warehousing ships in the seas of Kwangtung, and have there sold it, to the infringement of the laws of the Celestial Court. And whereas the Great Emperor has now been pleased to give his special Commission to one of his high officers to repair to Canton and inquire into and act regarding this matter: they have now begun to have knowledge of the extreme severity of the prohibitory enactments, and have been filled with unutterable dread and terror; they have respectfully taken all the opium laid up on board the store-ships, and have delivered up the whole to Government; they entreat and implore that a memorial may be laid before the throne, requesting the Great Emperor to show clemency beyond the bounds of law, and remit their past offences; the store-ships that have discharged all, they will direct to sail back to their respective countries; and Elliot, &c., will plainly address the Sovereign of his nation, that she may strictly proclaim to all the merchants, that they are to pay implicit obedience to the prohibitory laws of the Celestial Court; that they must not again introduce any opium into this inner land; that they cannot be allowed any longer to manufacture opium.

From the commencement of autumn in this present year, any merchant vessel coming to Kwangtung, that may be found to bring opium, shall be immediately and entirely confiscated, both vessel and cargo, to the use of Government; no trade shall be allowed to it; and the parties shall be left to suffer death at the hands of the Celestial Court; such punishment they will readily submit to.

As regards such vessels as may arrive here in the two quarters of spring and summer, now current, they will have left their countries while yet ignorant of the existing investigations and severe enforcement of prohibitions; such of them as, in this state of ignorance, bring any opium, shall surrender it as they arrive, not daring in the smallest degree to conceal or secrete it.

They unite together in this plain declaration, that this their full and earnest bond is true.

(First proposed April 4th, 1839.)

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 148.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow Foo, gives commands to the English Superintendent, Elliot, for his full information.

He has now received from his Excellency Lin, the High Imperial Commissioner and Governor of Hookwang, the within official injunction.

"The English Superintendent, Elliot, has presented the following address:

[*The address of April* 3, (*Inclosure* 30 *in despatch of March* 30) *is here inserted.*]

"Upon this duly coming before me, the High Commissioner, I reply:

"I, the other day, deputed civil and military officers to take Johnston with them to Macao; and I also let the cutter go away. I am now waiting till all the store-ships reach Lankeet, for the delivery of the chests of opium, when I, the High Commissioner, have resolved to proceed in person to examine and receive the same.

"Let the said Superintendent make haste to require all the foreigners in the factories to give full and earnest bonds, that they will never presume to bring opium, and to present the same, so as to enable a request to be laid before the throne, asking rewards for encouragement. Be there not the least dilatoriness.

"I, hereupon,

"I, hereupon, issue injunctions, requiring the said Prefect immediately to enjoin commands on the Hong merchants, that they may give it in command to the Superintendent Elliot, to pay unfailing obedience."

He (the Prefect) having received the above, proceeds to give commands. When these reach the said Superintendent Elliot, let him make haste to require all the foreigners to give full and earnest bonds that they will never bring opium, and to present the same. Be there no dilatoriness. Hasten! hasten! A special order.

Taoukwang, 19th year, 2d month, 22d day. (5th April, 1839.)

(L. S.) of the Kwang Chow Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 3 in No. 148.

The Imperial Commissioner to Captain Elliot.

LIN, High Imperial Commissioner of the Celestial Court, a director of the Board of War, and Governor of Hookwang, issues his commands to the English Superintendent Elliot, for his full information.

Seeing that I, the High Commissioner, had respectfully received the special commands of the Great Emperor to repair to Kwangtung, for the utter extirpation of the opium trade of the store-ships, I issued a series of urgent, earnest, and clear edicts. The said Superintendent, after he had received these, was open to a sense of grateful acknowledgment of the celestial favours, and of implicit obedience to the prohibitory enactments. He made a requisition of the foreign merchants, of all the nations under the English rule, that they should take the filthy opium on board their store-ships and surrender the whole amount; and he then represented the circumstance, requesting that the opium might be examined and received. He herein fully manifested his dutiful obedience, and fear of the laws. His conduct was highly praiseworthy.

But all the merchants, in their sordid search after gain, although on this occasion they have delivered up the opium to the Government, may,—it is difficult to ensure they will not,—hereafter continue to bring it. So far as rests with the said Superintendent, it will be his bounden duty to represent it to the Sovereign of his nation, that the thing may be severely prohibited, and the planting and manufacture of opium disallowed. And all the merchants trading in the territory of the Celestial Court, if they wish to have a lasting trade, should first give severally full and earnest bonds, that they never will again deal in opium, presenting the same, and waiting till a report shall be laid before the throne, and the matter placed on record. And then may the future clearly be declared.

Before, upon the address of the said Superintendent, I plainly replied, giving commands. And the form of bond I sent out by the hands of a deputed officer, to be transmitted, in order that obedience should be paid. How is it that till now bonds have not yet been taken, and in order presented?

I hereupon command urgent haste. When these commands reach the said Superintendent, let him, with all speed, turn to command the merchants at Canton of all the nations belonging to the English rule, that they are implicitly to keep the laws and ordinances of the Celestial Court, and in conformity to the form of bond sent out, are to write separately, in the Chinese and foreign languages, each his bond. All who are in the foreign factories must severally subscribe their names and signatures. It shall not be allowed that one name be left out; and all are to report, through the said Superintendent, presenting them for my careful inspection. Thus shall I have it in my power to request of the Great Emperor a liberal conferment of rewards.

Because you, the said Superintendent, have been able to require of all the delivery of their opium, therefore I, the High Commissioner, look on you

with high consideration. The taking of bonds now required is a thing easy in comparison with the delivery of the opium. If you allow then dilatoriness and trifling, it will appear that you are, after all, common-place, weak, and powerless; nor will I any longer regard you with high consideration. Be energetic! Tremble hereat! A special edict.

Tauokwang, 19th year, 2d month, 23d day. (6th April, 1839.)

(L. S.) of the Imperial Commissioner.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 4 in No. 148.

Captain Elliot to the Imperial Commissioner.

Canton, April 8, 1839.

ELLIOT, &c., &c., has had the honour to receive your Excellency's commands concerning the execution of certain bonds by the merchants of his country and himself, respecting the future entrance of opium into the empire.

It has been a great satisfaction to Elliot to know, that the merchants of his own and other foreign nations at Canton, have sincerely pledged themselves to your Excellency to discontinue a trade which the Emperor has strictly forbidden. And assuredly they will faithfully fulfil their obligations. For honour, though with poverty, is of far more value than shameful life and disgraceful profit: and their characters are gone for ever, if they violate their solemn pledges to this Government.

In the matter of the bonds, however, Elliot can conscientiously declare, that it is not in his power, according to the laws of his country, to meet the pleasure of your Excellency.

The opium is a thing in actual possession; and, therefore, it has not been impossible to Elliot, assuming very heavy responsibilities, to require it in the name of his Sovereign, and render it up to your Excellency on behalf of his Government.

But the bonds have relation to the future; and would involve terrible responsibilities in any possible case of disobedience to the prohibitions. They would involve, too, not alone parties themselves but others also. Such bonds, then, it is impossible even for his honoured Sovereign to require; and how much more must it be out of the power of Elliot himself to require them!

Nay, were he so far to forget his duty as to require them of the people of his country, they themselves too well know the laws of their country to venture on giving bonds that would render them highly criminal.

All the papers that your Excellency sends to Elliot will, of course, be laid before his gracious Sovereign. Thus will your Excellency's words be fully known.

(Signed) CHARLES ELLIOT.

Inclosure 5 in No. 148.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow Foo, issues commands to the English Superintendent, Elliot, for his full information.

He has now received from his Excellency Lin, High Imperial Commissioner and Governor of Hookwang, the within official injunction.

" On

"On the 8th instant, the English Superintendent, Elliot, addressed me making a representation in reply, and declaring that the bonds have relation to the future, and involve terrible responsibilities in any possible case of disobedience to prohibitions.

"Upon this duly coming before me, the High Commissioner, I reply:—

"After my arrival in Canton, I immediately proclaimed to all the foreigners, that as their past dealings in opium might have been in ignorance of the severe prohibitions of the Celestial Court, these, their past faults, should now be indulgently remitted, and they should merely be required to take the opium actually on board their store-ships, and surrender the whole amount to Government; and to give full and voluntary bonds, declaring plainly, that the vessels that shall henceforth come will never venture to bring opium; or if any do so, that the merchandize shall be confiscated, and the parties executed.

"In consequence of this, the foreigners of all nations addressed me. Although they expressed their readiness to pay obedience, their bonds were not, however, presented. At that time, being engaged in requiring the delivery of the opium, I had not opportunity at once to urge the execution of the bonds; and thought that, as the said foreigners ordinarily pay regard to the word "good faith," they would, since they were willing to deliver up the opium, execute the bonds also, without any need of urging. Who would have expected, on the part of the said Superintendent, a continued procrastination and delay: or that he would now have presented an address, making pretexts to evade and excuse himself from the matter?

"As to what is said of the bonds having relation to the future, and involving terrible responsibilities in any possible case of disobedience to the prohibitions, and of its being impossible even for your Sovereign to require them, I find that your Sovereign has habitually shown a dutiful compliance, and has manifested a due sense of gratitude for the Celestial Court's gracious gift of a market for trade; She will assuredly yield obedience to the Celestial Court's prohibitions of a clandestine traffic. And if you, indeed, pay obedience to commands, and execute these bonds, your Sovereign will certainly judge your conduct to have been right, and can never, on the contrary, consider it to have been wrong. For whatever gains your nation acquires, are all obtained from the Celestial Empire.

"Had you not come to this inner land, your country would, of course, hold its own laws over you: for the ordinances of the Celestial Empire are by no means enacted for you. But as you, being foreigners of outer countries, have now come as merchants to the Celestial Empire, and as the Celestial Empire has endued you with gains, how can it fail to inhibit your illegalities? Even so, when the people of other provinces come to Kwangtung, as soon as they commit any offence, they at once become amenable to punishment in Kwangtung. The same principle prevails whether as regards those of the empire, or those from without it.

"Supposing, to borrow an example, people of other countries should go to your country, England, for commercial ends, and should disobey your country's laws and enactments, would your Sovereign bear with them? How much less, then, shall the Celestial Court, whose voice and whose instructions diffuse good rule everywhere, and towards whose civilization the foreigners all turn.

"The nations lying beyond our frontier, which repair to this inner land, are very numerous; and which of them does not pay implicit obedience to our prohibitory enactments? And shall it, indeed, specially impress them upon your one or two nations!

"You represent that your nation has its laws. These will serve only so long as you do not come to this inner land. But since you will come to Kwangtung to trade, even your Sovereign then must command you to keep obediently the laws and statutes of the Celestial Empire. How can you bring the laws of your nation with you to the Celestial Empire.

"What you say, that even your Sovereign cannot require obedience of all you foreigners, is in a still higher degree perverse and absurd. You show herein an inward purpose to evade and excuse yourself from this matter; and you

would even prevent the operation of your Sovereign's high behests. For such unfaithful language how will you be able to answer your Sovereign?

"Looking over the some hundreds of words contained in your address, I find but one sentence to approve of, namely, that good faith is of more value than profit. These words are true. And my object in requiring these voluntary bonds to be executed is, that I may have an earnest of this your good faith.

"If all you foreigners have determined henceforward to repent of your past faults, and amend, if you desire to carry on an honourable trade, and never more to bring opium; in that case, though you bind yourselves by the declaration that they who deal in opium ought to die; yet, as this is spoken of such as sell and not of those who do not sell it, what hurt can it do to you?

"But if you will not venture to give full and voluntary bonds, and speak, as in this address, of the possible case of future disobedience, it will be clearly seen that you wish to preserve to yourselves room for the introduction of opium, and that for this end you compose this crafty and sly speech. How, I would ask, will you manifest your good faith to men?

"Be it said that the foreign slaves and seamen may, it is to be feared, smuggle it—it is requisite that the owners of the goods and masters of the ships should maintain a faithful restraint. If amid the vast amount there be a single petty illegality, of course the heaviness or lightness of the punishment must be regulated in such cases by the amount brought; and the party concerned shall alone be punished; how can punishment be carelessly inflicted without discrimination being made? or how, as represented in your address, can other parties be involved? The officers of Kwangtung of every grade, have hitherto always treated you with an excess of indulgence, and never with excess of severity. How is your mind so void of clear perception?

"At this time, when opium has so extensively pervaded the land with its poisonous influence, and when I, the High Commissioner, have received the Great Emperor's special commands to extirpate this thing, how can I fail to require of you the execution of an agreement to put a stop to it? So soon as these bonds shall be executed, I shall assuredly report to the Great Emperor, that your foreign merchants of all nations are all ready to observe their duty, and fear the laws; that they may be allowed still to continue a permanent trade. And from thenceforth they will be trusted; nor will depravity and deceit on their part be any longer apprehended. Thus all the foreigners will stand in an honourable position, and still more so will you, Elliot. Be careful, then, not to damage yourself by obstinacy.

"I proceed to issue commands for obedience to be paid. And to this end I enjoin the Prefect of Kwang Chow Foo immediately to give these commands to the Hong merchants, that they may transmit the same to the said Superintendent, Elliot, requiring his unfailing obedience."

He, the Prefect, having received the above, proceeds to issue the commands. When these reach the said Superintendent, Elliot, let him pay immediate and unfailing obedience. A Special Edict.

Taoukwang, 19th year, 2nd month, 25th day. (8th April, 1839.)

(L.S.) of the Kwang Chow Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 6 in No. 148.

Captain Elliot to the Imperial Commissioner.

Canton, April 10, 1839.

ELLIOT, &c., has had the honour to receive your Excellency's commands of date the 8th April.

The argument, that a person of any other nation, repairing to England for commercial purposes, must pay obedience to the English regulations and prohibitions, and that in like manner it is required of the English people who come to China to trade, that they observe implicitly the laws of the Celestial Empire, is most luminous.

It is beyond dispute, then, that those who will come to Canton to trade, must act in obedience to the laws. But the new regulation regarding these bonds is incompatible with the laws of England. If, therefore, its observance be imperatively insisted upon, and these bonds be absolutely required, there will remain no alternative but for the English men and vessels to depart. In this manner, while no resistance is offered to the laws of the Celestial Empire, neither will there be any infraction of the regulations of England. And, thus, both will be preserved intact.

Recollecting that his nation has carried on trade with China, under the benign rule of the Great Emperor, for more than two centuries, Elliot humbly hopes that warning will be fairly given of the extreme severity of the prohibitions. His country's possessions are rather distant. Perhaps, then, the appointed term may be considerately extended. If, from the opening of the trade, a term of five months may be allowed for the people of the Indian possessions, and a term of ten months for the people of England herself, before this new rule shall pass into operation, then none will remain ignorant of the existence of such a law; and if any come to Canton, they will of necessity pay obedience to it. As regards such vessels as may arrive, bringing opium within the five or the ten months, Elliot will be able to send them away again.

(signed) CHARLES ELLIOT.

Inclosure 7 in No. 148.

The Foreign Merchants to the Imperial Commissioner.

Canton, March 25, 1839.

THE foreign merchants of all nations, in Canton, have received with profound respect the Edict of his Excellency the Imperial Commissioner; and now beg leave to address his Excellency, having already communicated through the Hong merchants their intentions of doing so with the least possible delay.

They beg to represent, that being now made fully aware of the Imperial commands, &c., the entire abolition of the traffic in opium, the undersigned foreigners in Canton hereby pledge themselves not to deal in opium, nor to attempt to introduce it into the Chinese Empire.

Having now recorded their solemn pledge, they have only further most respectfully to state to his Excellency, that as individual foreign merchants they do not possess the power of controlling such extensive and important matters, as his Excellency's edict embraces; and they trust His Excellency will approve of

their leaving a final settlement to be arranged through the Representative of their respective nations.

(Signed)

Fox, Rawson, and Co.
Dent and Co.
Russell and Co.
Wetmore and Co.
D. and M. Rustomjee.
Savuckshaw Rustomjee.
I. de Souza.
Cowasjee Sapoorjee.
Russell, Sturgis, and Co.
Bell and Co.
Daniell and Co.
Dirom and Co.
Gibb, Livingston, and Co.
Robert Wise Holliday and Co.
Bovet Brothers and Co.
Hormuzjee Byramjee.
MacVicar and Co.
Framjee Jamsetjee.
J. and W. Cragg, and Co.
Shauxshall Burdrodeer.
Abaden and Samsooden.
Lindsay and Co.
James Matheson, for himself and partners.
Dossabhoy Hormusjee.
Cowasjee Pallanjee, and
Cursetjee Bomanjee.
Edmund Moller.
Heerjeebhoy Rustomjee.
A. and D. Furdonjee.
Burjoorjee Manuckjee.
Hormuzjee Framjee.
Framjee Dadabhoy.
Bomanjee Manuckjee.
Bomanjee Hosanjee.
Jamsetjee Rustomjee.
Pallanjee Dorabjee.
Cursetjee Shapoorjee.
Nasserwanjee Dorabjee.
Pallanjee Nasserwanjee.
Turner and Co.
W. and J. Gemmell and Co.
Bibby, Adam, and Co.

Inclosure 8 in No. 148.

Captain Elliot to the Lieutenant-Governor of Canton.

Canton, April 12, 1839.

ELLIOT acquaints your Excellency that the child of Daniell, one of the men of his nation, presently detained in Canton, lies grievously sick at Macao.

Elliot has therefore to request that your Excellency will be pleased to give immediate orders for the liberation of Daniell, in order that he may proceed to Macao, and fulfil his parental duties. And this is the more necessary, because the physician of the English nation stationed in Macao is also sick.

Confiding in your Excellency's justice and humanity, Elliot prefers this request. And, with sentiments of high consideration, has the honour to remain, &c.

(Signed) CHARLES ELLIOT.

Inclosure 9 in No. 148.

The Prefect of Canton to Captain Elliot, communicating the reply of the Lieutenant-Governor to Captain Elliot's Address of the 12*th of April.*

CHOO, by special appointment, Prefect of Kwang Chow Foo, issues commands to the English Superintendent, Elliot, for his full information.

He has now received from E, the Lieutenant-Governor of Kwangtung, the within official communication.

"Upon the 12th of April, the English Superintendent, Elliot, addressed me in the following terms.

[*The Address of* 12*th April* (*Inclosure* 8) *is here inserted.*]

"This

"This having duly come before me, the Lieutenant-Governor, I have acquainted myself with the contents. I find that the said Superintendent, Elliot, before, in obedience to the commands given, expressed his readiness to deliver up the opium on board the store-ships. His Excellency the Imperial Commissioner, in concert with the Governor, has consequently proceeded to the Bocca Tigris to direct the receiving thereof. But barely three days have elapsed, when the said Superintendent abruptly makes a pretext of the foreign merchant Daniell's child being sick, to request that he should have permission to go to Macao to take care of it. This is a matter affecting the said individual merchant alone. How can it have been regarded as a fine occasion for making an experiment? It is a very foolish and confused proceeding; and the request it is impossible to grant.

"In brief, his Excellency the Imperial Commissioner, with the Governor and myself, the Lieutenant-Governor, in the conduct of this affair will hold fast the grand principles of justice. We are all awaiting the delivery of the full amounts of the opium, that we may thoroughly arrange the matter. The said Superintendent, &c., should, of course, in implicit obedience to the previously-given commands, wait quietly, until having received communications we shall make further proclamation. Let there not be any annoying representation.

"The Prefect is enjoined to give immediate commands to the Hong merchants, that they transmit these commands to the said Superintendent, Elliot, for his unfailing obedience. With speed! With speed!"

He (the Prefect) having received the above, proceeds to issue commands. When these reach the said Superintendent Elliot, let him pay immediate and unfailing obedience. A special command.

Taoukwang, 19th year, 2nd month, 20th day. (13th April, 1839.)

(L.S.) of the Kwang Chow Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 10 in No. 148.

The Imperial Commissioner and the Governor of Canton, jointly, to Captain Elliot.

LIN, High Imperial Commissioner, &c., and Tang, Governor of the two Kwang, &c., issue commands to the English Superintendent, Elliot, for his full information.

The surrender of opium is the way opened to all foreigners for commencing a new course. If the said foreigners possess a conscience of what is right, they surely ought with sincerity to repent and reform. Had all the store-ships been on the alert in coming up, the opium would ere this have been entirely delivered, and the restraints removed. But having been repeatedly urged forward, and not having yet all arrived, we, the High Commissioner, and the Governor, are led to think that there is some illicit purpose behind.

At present, besides the ships *Hercules*, *Austen*, and *Ariel*, which are entirely discharged, and the ships *Mermaid*, *Jane*, and *Ruparell*, which are now delivering, there are four vessels, the *Nymph*, *Mithras*, *Mavis*, and *Virginia*, which, though hastened, did not arrive until the 18th, when they reached Sandy Head together. The opium that these vessels have on board is very little, barely amounting, in the *Nymph* to eighty chests of the Bengal drug. On careful inspection of the marks left by the water on the sides of the vessels, they are found to be raised out, above the water, with new marks below, thereby plainly showing that the vessels have been freely transhipping outside, and reducing the quantities, before coming up to deliver.

Moreover, to-day a naval cruizer has apprehended and sent to us a person engaged in selling opium, one Leaou Teenkwang, with whom were seized a number of parcels of Malwa [opium] which he deposes to have purchased on board a foreign vessel on the 10th of April. Will such a continuance of illegalities, even at the very approach of making surrender, induce men to believe in the existence of sincere repentance and reformation?

We proceed to issue commands. When these reach the said Superintendent, let him speedily transmit directions to Johnston, &c., imperatively to urge the several store-ships that they at once come up together to Sandy Head, and to restrain the people and seamen of the vessels from diminishing in the least degree the amount of opium. The said Superintendent must not presume, on his having at first reported a certain full amount, to let them clandestinely dispose of any quantities there may be in excess, thereby occasioning a return of the pervading poison, and so drawing on himself criminality and cause of sorrow. Tremblingly consider this. Hasten! Hasten! A special command.

Taoukwang, 19th year, 3rd month, 6th day. (19th April, 1839.)

(L.S.) of the Imperial Commissioner.
(L.S.) of the Governor.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 11 in No. 148.

Captain Elliot to the Imperial Commissioner and the Governor of Canton.

ELLIOT, &c., has received your Excellencies' commands, dated on the 6th day of the moon.

The business in hand is very extensive, and many persons of low degree, sailors, and others, are engaged in it; so that it may be difficult entirely to prevent the irregularities of which your Excellencies complain.

But Elliot has now written to Johnston, in the strongest language, desiring him to be very watchful, and most severe in the repression of such shameless proceedings. And also to issue immediate and strict commands for the prevention of any discharging or removal of opium from ship to ship, at the lower anchorages; and to hasten all the ships having opium on board to Chuenpee.

By this time more than half the opium must be delivered to the honourable officers, so that in the course of this day orders from your Excellencies will probably reach the provincial city, commanding the honourable officers to let the passage-boats and passengers go in and out as usual.

When the communications are constantly open, Elliot will himself be enabled to exercise a more vigilant controul.

In all his proceedings he has manifested truth and sincerity, and your Excellencies will find, that to repose entire confidence in him, so that he may act with effect, is the surest mode of completing the whole delivery of 20,283 chests, and preventing future irregularity.

Much disorder will always take place when the chief authority cannot exercise constant controul.

(Signed) CHARLES ELLIOT.

Inclosure 12 in No. 148.

Captain Elliot to the Imperial Commissioner and the Governor of Canton.

Canton, April 20, 1839.

ELLIOT has the honour to reply to the commands of their Excellencies, of date the 19th April.

On the question of bonds, Elliot before plainly pointed out the impracticabilities attending it. And again, on the 10th of April, he represented, that as this new regulation was inconsistent with the laws of England, should compliance be absolutely required, and the execution of bonds be deemed indispensable, there would be no alternative but for the men and vessels of his country to depart.

Elliot has been appointed by his Government for the special purpose of superintending the people of his country resorting hither for trade. But finding now that the high officers absolutely require compliance with new regulations and terms, which they have fixed for the trade of his country with China; and these being such as it is impossible for him to consent to, he has therefore the honour to request that he may be enabled, at the head of the men and ships of his country, to take his departure and sail away.

Elliot still most faithfully pledges himself to deliver up to the high officers all the opium which he lately took from the English people in Her Majesty's name.

(Signed) CHARLES ELLIOT.

Inclosure 13 in No. 148.

The Prefect of Canton to Captain Elliat.

CHOO, Prefect of Kwang Chow Foo, with Lew, magistrate of Nanhaeheen, and Chang, magistrate of Pwanyu-heen, issues commands to the English Superintendent, Elliot, for his full information.

He has now received from their Excellencies Lin, High Imperial Commissioner, &c., and Tang, Governor of the two Kwang, the following official injunction:—

" It is on record, that when the English Superintendent, Elliot, represented that he would deliver 20,283 chests of opium, I, the High Commissioner, determined, on certain terms, one being, that when one half should be delivered a measured permission should be given for the passage-boats to apply for passes, and run to and fro. To this effect, commands were given to the said Superintendent, that he might act accordingly.

" Recently, when the amount received approached a half, we, the Commissioner and the Governor, had prepared instructions for allowing the communication by passage-boats; but Johnston suddenly desired to stop the deliveries, with the design of coercing us. We, for this reason, withheld the before prepared instructions, and did not issue them.

" It now appears again, that he has hastened up several vessels, which have consecutively made delivery. It behoves us, in accordance with the previous declarations, to give a measured permission to the passage-boats, upon examination, to run to and fro. Also to remove the guards from the foreign factories. And at the same time to permit the opening of the holds for trade.

" The said Superintendent, Elliot, although he himself represented that he should wait the completion of this matter before he should go down to Macao,

yet now that the boats can run, he may be allowed to pass to and fro as usual, to enable him to call together with more celerity, and to give such orders and make such arrangements, as from time to time may be called for.

"Those of the foreigners who have been long in the habit of dealing in opium, sixteen in number, as by the annexed list, must still be temporarily detained in the foreign factories, waiting until the whole matter is entirely completed, when they will be permitted to leave. This is in accordance with the force of the terms 'measured permission,' in the former declaration.

"But at the time when the boats leave Canton, if officers be not appointed to proceed to the front of the foreign factories, and there, with the Hong merchants under their direction, take cognizance of each by name, it is to be apprehended that these sixteen persons may get on board the boats, and, unknown, take themselves away from Canton. We therefore instruct the expectant Sub-Prefect, Le Suh, together with the Kwang Chow Hee, or brigadier, to give previous orders to the Hong merchants, that they enjoin it on the foreigners to give them prior notice of the time of any boat leaving Canton, that they may report to the officers aforesaid. These are then to proceed in person to the place where the boats are anchored, and to ascertain what number of persons are on board, and what are their names and surnames; and are to direct the Hong merchants to take cognizance of them severally. If there be not among them any of the sixteen named, they shall then give to the boat a sealed passport to be shown for examination at the various custom-houses that it shall pass.

"This sealed passport shall be printed according to the form herewith transmitted, and sealed with the seal of the Kwang Chow Foo, the blanks being filled up at the time. The officers aforesaid must by all means faithfully examine, and must permit no confusion or secape, whereby they will render themselves heavily culpable. The Kwang Chow Hee, too, must give directions to all the forts and other places of defence to pay obedience.

"We further proceed to issue these commands requiring the Kwang Chow Foo, immediately to take with him the magistrates of Nanhae and Pwanyu, and to require the original merchants, Howqua Senior, &c. to act in accordance herewith, and immediately to remove all the vessels surrounding the foreign factories.

"The boats registered under the designation "Obedient," are to have a measured permission to run to and fro; still being subjected to examination at the custom-house stations.

"The ship *Esperanca*, at Whampoa, which has already applied for a port clearance to return home, and the captain of which, Linstedt, is now in the foreign factories at Canton, may at once make application to the Hoppo, to give permission for him to leave Canton, and take his departure.

"All the cargo ships at Whampoa are permitted to open their holds for trade. Those that, being already fully laden, have made application, through the security merchants, for their port clearances, are permitted to obtain the same on representation to the Hoppo, that they may be enabled to set sail and retnrn home.

"As to all the foreign merchant ships arrived in the outer waters, they must wait till this matter is brought to a conclusion, when on examination they will be directed to enter their names, and proceed to Whampoa.

"The registered boats, proceeding from Whampoa to Canton, must still be subjected to careful examination by the military guard at the two posts, Jeshamee and Tawang-haou, on the way up. And if they have contraband articles, or weapons, or gunpowder on board, must be immediately driven back, and an instant report made, in order that examination may be made and measures taken.

"Let the tenor of these commands be also declared to Elliot, that he knowing, may act accordingly. Be urgent and speedy."

He,

He, the Prefect, having received this, forthwith issues these commands, on their reaching the said Superintendent, Elliot, that he may be informed thereof. Be there no opposition. A special order.

[Appended is a list.]

Taoukwang, 19th year, 3rd month, 21st day. (4th May, 1839.)

(L. S.) of the Kwang Chow Foo.

[Supposed names of the sixteen individuals, as given in the list appended.]

Dent.	Heerjeebhoy.
Henry.	Stanford.
D. Matheson.	Green.
Daniell.	Framjee.
Inglis.	A. Matheson.
Ilbery.	Matheson.
Dadabhoy.	Bomanjee.
A. Jardine.	Goldsborough.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 14 in No. 148.

Official Notice to Her Majesty's Subjects.

Canton, May 4, 1839.

IN the present state of circumstances, the Chief Superintendent is not in a situation to do more than refer Her Majesty's subjects for general guidance to his public Notice dated at Macao, on the 23rd March last.

He need hardly observe, however, that it is his purpose to remain in Canton till his public obligations to this Government are fulfilled; and he will afford the best information in his power of the probable period of his departure from time to time.

Parties will therefore be pleased carefully to regulate their proceedings accordingly.

There is a part of the public paper promulgated this evening (not desirable to advert to particularly) which need give no uneasiness.

He hopes it will be felt, that the circumstances shall be suitably arranged at the proper moment.

(Signed) EDWARD ELMSLIE,
Secretary and Treasurer to the Superintendents.

Inclosure 15 in No. 148.

Public Notice to Her Majesty's Subjects.

Canton,

THE disregard of formal offers, upon the part of Her Majesty's Officer, to adjust all difficulties by the fulfilment of the Imperial will; the unjustifiable imprisonment of the whole foreign community in Canton; the still more wanton protraction of that captivity, and the forced surrender of property, of which the incidents have been, the utmost public encouragement, direct and indirect, upon the one hand, and violent public spoliation on the other: such are the chief facts which have sustained the declaration put forward in the notice of the Chief Superintendent of the Trade of British subjects, dated at Macao on the 23d day of March last, that he was without confidence in the justice and moderation of the Provincial Government.

Correction remaining to be made for the circumstances that these later deeds have been perpetrated mainly under the authority of the Imperial Commissioner, he is also to declare that he is without confidence in the justice and moderation of the said Imperial Commissioner.

Acting on the behalf of Her Majesty's Government, in a momentous emergency, he has, in the first place, to signify, that the demand he recently made to Her Majesty's subjects, for the surrender of British-owned opium under their controul, had no special reference to the circumstances of that property: but (beyond the actual pressure of necessity) that demand was founded on the principle, that these violent, compulsory measures being utterly unjust *per se*, and of general application for the forced surrender of any other property, or of human life, or for the constraint of any unsuitable terms or concessions, it became highly necessary to vest and leave the right of exacting effectual security, and full indemnity for every loss, directly in the Queen. These outrages have already temporarily cast upon the British Crown immense public liabilities; and it is incumbent upon him, at this moment of release, to fix the earliest period for removal from a situation of total insecurity; and for the termination of all risk of similar responsibility on the part of Her Majesty's Government.

He is sensible, too, that he could not swerve from the purposes now to be declared, without extreme danger to vast public claims already pending, and to general and permanent interests of highest moment.

Thus situated, then, and once more referring to his public notice, dated at Macao on the 23rd day of March last, he has again to give notice to, and enjoin all Her Majesty's subjects to make preparation for quitting Canton before, or at the same time with Her Majesty's establishment; which departure will take place as soon as the Chief Superintendent has completed his public obligations to this Government. For the general convenience he will afford the best information in his power from time to time, concerning the probable period of that event.

And he has further to give notice, that British subjects, or others, thinking fit to make shipments of property, on British account, on board of British or any other foreign shipping, actually in this river, will be pleased to regulate their proceedings, in these respects, upon the understanding, that such shipments must be made at their personal risk and responsibility after the date of this notice.

And he again enjoins all her Majesty's subjects in Canton, to prepare sealed declarations, and lists of all claims whatever against Chinese subjects, to be adjusted as nearly as may be to the period of their respective retirements from Canton before him, or at the same time with him.

And whilst it is specially to be understood that the proof of British property, and value of all such claims handed in to him before his departure, will be determined upon principles, and in a manner hereafter to be defined by Her Majesty's Government, he has to recommend, with a view to uniformity and general clearness, that claims for British property left behind, should be drawn up as far as may be practicable on invoice cost.

And

And he has now to give notice to, and enjoin all Her Majesty's subjects, either actually in China, or hereafter arriving, merchants, supracargoes, commanders, commanding officers of ships, seamen, or others having control over or serving on board of British ships or vessels, bound to the Port of Canton, not to be requiring, aiding, or assisting in any way in the bringing in to the said Port of Canton, any such British ships or vessels, to the great danger of British life, liberty and property; and the prejudice of the interests and just claims of the Crown, till a declaration shall be published, under his hand and seal of office, to the effect, that such bringing in of British shipping, or of British property in foreign shipping, is safe in the premises.

And the Chief Superintendent, making these solemn injunctions for the safety of British life, liberty, and property, and in the protection of the interests and just claims of the British Crown, reserves to Her Majesty's Government, in the most complete manner, the power to cancel and disregard all future claims whatever, on the part of Her Majesty's subjects or others preferring such claims on account of British property, either left behind, or to be brought in, if any such British subject, or others preferring such claims, shall disregard these injunctions now put forward, respecting the keeping out of British shipping and property, till the declaration aforesaid shall be duly published.

And he has once more to warn Her Majesty's subjects in anxious terms, that such sudden and strong measures, as it may be found necessary to adopt, on the part of competent authorities, for the honour and interests of the British Crown, cannot be prejudiced by their continued residence in Canton beyond the period of his own stay, upon their own responsibilities, and in spite of the solemn injunctions of Her Majesty's officer.

Given under my hand and seal of office, at Canton, in China, this day of 1839.

(L.S.) (Signed) CHARLES ELLIOT,
Chief Superintendent of the Trade of British Subjects in China.

No. 149.

Captain Elliot to Viscount Palmerston.—(Received September 21, 1839.)

My Lord, *Canton, May* 6, 1839.

THE anxieties of our confinement have been distressingly increased by frequent rumours of the Commissioner's aggressive intentions towards Macao.

It seems that the Portuguese have taken advantage of his Excellency's engagement with our affairs, to embark their opium and send it to Manilla; but the statement, that it is all gone, and that the trade should no longer be carried on from that place, is not satisfactory: and his Excellency is believed to insist that 3,000 chests (which he appears to suppose were recently there) should be delivered up to him. It is also said, that he demands the occupation of the forts by Chinese troops; and, in general, that his dispositions menace such purposes as would place the settlement completely at his mercy.

Your Lordship need not be informed that it is exposed to considerable inconvenience, from being so dependent on the Chinese for supplies; but with the command of the sea always in our hands, abundance of disposable shipping, and the near neighbourhood of Manilla, that difficulty is not serious. The more so, as the Chinese population (principally artizans and labourers) would, of course, evacuate the place before a state of actual hostilities commenced.

The safety of Macao, my Lord, is, in point of fact, an object of secondary moment to the Portuguese Government; but to that of Her Majesty it may be said to be of indispensable necessity, and most particularly at this moment.

With great difficulty and risk I have contrived to hold the accompanying correspondence with the Governor of Macao; and I have desired Mr. Johnston to let the outside shipping be kept in its near neighbourhood; I have also requested Captain Blake, of the *Larne*, to offer the Governor every assistance in his power.

The garrison consists of about 400 Indian troops, of a poor description, and about 500 Caffre slaves, by far the best part of the force. The Governor, too, told me, before I left Macao, that he was supplied with rice and ammunition; and the forts are in an efficient state of defence against Chinese attack.

This may not be an inconvenient occasion to press upon your Lordship's attention the strong necessity of concluding some immediate arrangement with the Government of Her Most Faithful Majesty, either for the cession of the Portuguese rights at Macao, or for the effectual defence of the place; and its appropriation to British uses, by means of a subsidiary Convention. A garrison of 1,000 good troops, principally artillery, and a few sail of gun-boats would place Macao in a situation to cover the whole trade with this part of the empire.

The inner harbour and the Taipa are open to the objections of not being sufficiently roomy, or of depth enough to receive our large merchant-ships. But this is not more than an inconvenience; for we are so completely the masters at sea, that the large ships might remain in Hong Kong, and send their cargoes over in smaller vessels; as indeed is pretty much the case at present.

Connected with this subject, I inclose your Lordship a copy of a despatch to the Right Honourable the Governor-General of India.

Speaking without the means of precise reference within my reach, I believe your Lordship may take the annual revenue of Macao to be about 100,000 dollars: but by far the larger proportion of that sum arose from the opium duties; and that source of revenue can no longer be depended upon. In ordinary years the expense did not exceed the income; neither do I know that these resources are burdened with any considerable amount of debt.

But the establishments, civil, military, and fiscal, are so defective, that they would need to be placed on an entirely new footing, to make the place of the least use as a safe entrepôt, or for any real purposes of protection; and indeed there is but little hope of effecting such objects whilst it remains in the hands of the Portuguese.

We have heard that the American frigates, *Columbia* and *John Adams*, have arrived at Macao; and I trust, therefore, that there is no serious reason for apprehension concerning the safety of the place.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 149.

Captain Elliot to Don Adriao Accacio da Silveira Pinto, Portuguese Governor of Macao.

Canton, April 13, 1839.

THE Undersigned, &c., &c., taking into consideration the violent and menacing proceedings of the Chinese Government towards the people of all the Christian nations resorting to this empire, has now the honour to throw himself and all Her Britannic Majesty's subjects, ships, and property, presently in Macao, or hereafter proceeding there, under the protection of Her Most Faithful Majesty.

Sensible of the heavy expense, and all the other embarrassments which such a solemn duty may cast upon Her Most Faithful Majesty's Government, the Undersigned feels it his duty to offer to your Excellency, on

on behalf of the British Government, immediate facilities on the British Treasury, to any extent that your Excellency may be pleased to require him to draw, for the purpose of placing the settlement of Macao, and the harbour of the Taipa, in a state of effectual defence, and for the equipment of a sufficient number of armed vessels to keep the coasts clear; and if it shall seem necessary to your Excellency, for the reinforcement of the garrison, and the necessary supply of the city, by immediate appeal to Manilla.

The Undersigned also incloses a public notice, to be used at your Excellency's discretion, requiring all Her Britannic Majesty's subjects at the outside anchorages to attend to any commands your Excellency may be pleased to impose upon them, for the honour and safety of Her Most Faithful Majesty's rights, and for the general protection of life and property at Macao, and the neighbouring anchorage of the Taipa.

The conditions of any public assistance your Excellency and the Undersigned may mutually render to each other in these premises, to be adjusted by the Governments of our respective countries.

The difficulty of communication will excuse this hasty and contracted note.

The Undersigned, with sentiments of high consideration, has the honour, &c., &c.

(Signed) CHARLES ELLIOT.

Sub-inclosure in Inclosure 1 in No. 149.

Public Notice to British Subjects.

I, CHARLES ELLIOT, &c., &c., do hereby, in the name of Her Majesty the Queen of England, require all Her Majesty's subjects to whom these presents may come, in the outer waters, forthwith to place themselves under the command of His Excellency the Governor of Macao, for the defence of the rights of Her Most Faithful Majesty, and the general protection of the lives, liberty, and property of all the subjects of Christian Governments now or hereafter resorting to that settlement.

Given under my hand and seal of office, at Canton, this thirteenth day of April, 1839.

(L. S.) (Signed) CHARLES ELLIOT

(L. S.) Countersigned and sealed,

GOVERNOR OF MACAO.

Inclosure 2, in No. 149.

Adriaõ Accacio da Silveira Pinto, Governador de Macao, ao Senhor Carlos Elliot.

Macao, 15 *de Abril* 1839.

ADRIAO ACCACIO da SILVEIRA PINTO, Governador de Macao e suas Departementas, tendo recebido agora mesmo a notta que o Illmo. Senhor C. Elliot lhe dirigio em datta de 13, e que se reduz a offrecer a sua cooperacaõ e a de todos os Subditos Britanicos residentes nestes sitios, para a conservacaõ de este Estabelecimento de Macao, pertencendo aos Dominios de S. M. Fidelissima, e ainda mais a cooperacaõ do Governo de S. M. Britanica, faltaria ao seu mais sagrado dever se elle naõ significa se immediatamente a sua Senhoria, os seus mui cordeaes e verdadeiros agradecimentos, em seu nome e em nome do Governo de S. M. Fidelissima, a cujo conhecimento levara o mais depressa que lhe fôr possivel, taõ generoza offerta, da qual naõ lhe he lecito lançar immediamente nao, attendendo a que a sua mui particular situacaõ lhe impuem o restricto dever de manter hua austera neutraledade em quanto razoes poderozas o nao obriguem a outra coeza, ou se verefique o perigo eminente que sua Senhoria parece recear venha a acontecer,

em cujo cazo francamente se aproveitará dos generozos meios que lhe apre-zenta.

Para de alguã maneira corresponder a offerta de Sua Senhoria, o abaixo assignado tem o prazer de assegurar a Sua Senhoria que repetindo o que disse em a sua notta da 22 do passado, elle protegerá com quanto estiver ao seu alcance as vidas, e as propriedades dos Subditos Inglezes existentes em Macao, com a unica excepcaõ marcada em aquella notta; e tem a satisfacaõ de lhe renovar os protestos de sua alta estima e mui perfeita consideraçaõ.

E tem a honra de ser, &c.

(Assignado) A. A. DA SILVEIRA PINTO.

(Translation.)

Macao, April 15, 1839.

ADRIAO ACCACIO DA SILVEIRA PINTO, Governor of Macao and its dependencies, having just received the note which the Most Illustrious Senhor C. Elliot has addressed to him, dated the 13th instant; the purport of which is to offer his own co-operation, and that of all British subjects residing in these parts, for the maintenance of this settlement of Macao, belonging to the dominions of Her Most Faithful Majesty, and still further to offer the co-operation of Her Britannic Majesty's Government, would fail in his most sacred duty did he not immediately return to the Superintendent his very cordial and sincere thanks, both in his own name and in that of Her Most Faithful Majesty's Government; to which government shall be conveyed, with as much speed as is practicable, the information of an offer so generous; an offer, however, of which he is not at liberty immediately to avail himself, feeling that his very peculiar situation imposes on him the bounden duty of observing a strict neutrality, so long as powerful reasons shall not constrain him to a different line of conduct, or until there shall be evidence of the imminent peril which the Superintendent seems to fear, as being about to happen; and in this case he will frankly take advantage of the generous facilities presented to him.

To reciprocate in some measure the offer made to him, the Undersigned has the pleasure to assure the Superintendent, that, reiterating what he said in his note of the 22d ultimo,* he will protect as far as lies within his power, the lives and properties of English subjects in Macao, with the sole exception specified in that note. And he has the satisfaction of renewing to him the declaration of his high esteem and very perfect consideration.

And he has the honour to be, &c.

(signed) A. A. DA SILVEIRA PINTO.

Inclosure 3, in No. 149.

Captain Elliot to Lord Auckland, Governor-General of India.

My Lord, *Canton, April* 16, 1839.

I HAVE the honour to inclose a copy of a despatch to Viscount Palmerston, dated on the 3d instant; and the copies of my other despatches transmitted by this occasion to Calcutta, furnish a detailed account of

---

* In reply to a note of Captain Elliot's of the 22nd March, requesting protection for the property and persons of Her Majesty's subjects at Macao from sudden attack by the Chinese, acceding to the request in full terms, with the reasonable exception of persons engaged in the Opium traffic. These papers will be forwarded as soon as Captain Elliot returns to Macao, where they were left.

of that course of violence and spoliation which has broken up the foundations of this great trade, so far as Canton be considered, I am afraid for ever.

The general measures to be taken, must no doubt require the sanction of Her Majesty's Government; but immediate countenance and protection are necessary for the safety of life and property; and I am sensible your Lordship will not require any importunities on my part to do whatever may be in your Lordship's power in that respect.

As many ships of war as can be detached, and armed vessels, to be employed under the command of the naval officers, (the whole to be instructed to conform to my requisitions,) seem to be the most suitable means of protection available at this moment.

The interrupted state of my communications with the Portuguese Government of Macao, prevents me from enabling your Lordship to judge of the degree of protection we may look for in that quarter. But at all events, the condition of the settlement is feeble in every respect of amount and character of force, and in means of support for the inhabitants, independent of the Chinese.

I have, however, offered his Excellency facilities on Her Majesty's Treasury, for placing the settlement and the neighbouring anchorage of the Taipa in the best attitude of defence which circumstances may admit of. And I have also proposed the equipment of a sufficient number of small armed vessels to keep the coasts clear; and an appeal to Manilla for a moderate reinforcement of troops, and the arrangement of a regular course of supply. His Excellency's answer has not yet reached me.

My future proceedings shall be submitted by every occasion, and in the mean time,

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 150.

Captain Elliot to Viscount Palmerston.—(*Received September* 21, 1839.)

My Lord, *Canton, May* 18, 1839.

ON the 11th instant, I circulated the inclosed conclusive Edict by the heads of this Government.

Since I closed my last despatch, amongst the events to be reported, are orders for the expulsion of Mr. Dent, of four gentlemen connected with the firm of Jardine, Matheson, and Co., and of Heerjeebhoy Rustomjee.

Also of Mr. Innes, which was the single case that formed the subject of direct correspondence with me. In the others, the communications were made to the parties themselves.

The accompanying papers will place your Lordship in possession of the particular circumstances of Mr. Innes' case.

In my despatch of April 6, I observed that the memorials to the Emperor were generally marked by a very restrictive spirit, in regard to the whole question of foreign trade and intercourse. But when I made that remark, I certainly did not anticipate that such a policy was suddenly to be followed out, to the extent which is actually the case.

The persons called outside merchants, (*i. e.* unlicensed,) and the shopkeepers, engaged in most extensive transactions with the foreigners, and to whom constant access is absolutely necessary, are to remove forthwith; their houses are to be pulled down; and the streets they occupy, the only avenues leading inwards from the factories, are to be closed up, or rather built over. I confess, however, notwithstanding the peremptoriness of the commands, that I have great difficulty in believing the Government will venture upon a measure so certain to goad to desperation, an influential class of people furnishing employment to at least 10,000 workmen.

A strong paling has been run round the square, no doubt with the purpose more easily and suddenly to shut the foreigners from access to the river side; their pleasure-boats have been taken from them; and a variety of novel regulations, inconsistent with any possibility of carrying on trade at Canton, have been established.

A rough ground plan of the factories is transmitted, that your Lordship may be the better enabled to understand the actual purposes of isolation.

The measures of the Government are not confined to foreigners alone. The whole trade of the province is to be broken down under a new and rigorous system.

Every five householders are to join in bonds of mutual security; the like to be done in the case of every five owners of junks or boats; the sails to be marked in certain indicated forms; and a prodigious variety of other most minute and, in point of fact, impracticable rules have been laid down.

I learn from the best sources of native information open to me, that a feeling of considerable excitement prevails throughout the city and the province: and when it is considered that the people of this part of the empire have had so much more intercourse with foreigners than any other; that the junks visit our own and the other settlements in the Straits; and that generally there has been far more of freedom and relaxation than at any other point; your Lordship will probably be disposed to conclude, that such a sudden wrench of system as is actually attempted, cannot fail to induce some early and serious state of difficulty.

A reflection arising from this view, is the expediency of accompanying any strong measures, which may be taken by Her Majesty's Government, by a short manifesto in the Queen's Name, to be translated here, declaratory of the strictest commands to all Her Majesty's officers and people, scrupulously to respect the persons, property, and customs of the natives of this empire; and setting forth that the general objects of the expedition were to make known to the Emperor the falsehood, violence, and venality of the Mandarins, and to establish peace and honourable trade on a permanent footing.

Intelligence has reached Canton last week from Peking, announcing the appointment of the High Commissioner to be Governor-General of the provinces of Kiangnan and Kiangse, which is considered the highest Government in the empire. The Emperor's commands concerning the disposal of the opium are also hourly expected, and the reports of the intention to offer indemnity gain strength daily.

Canton, May 24, 1839.

The intelligence of the delivery of the whole opium, for which an official receipt has been duly handed to Mr. Johnston by the Mandarins, reached me on the morning of the 21st; and the next day the Governor issued an edict requiring the remainder of the sixteen persons lately detained here to leave Canton, and to sign a promise, (unincumbered, however, with any penal conditions,) that they will not return to this empire.

The impossibility of carrying on trade at Canton, under present circumstances, is so plain, and there is so much reason to fear that the Government would make the refusal to sign the paper a pretext for their continued forcible detention, that I recommended them to affix their signatures; pledging myself, if affairs take a more favourable turn before the instructions of Her Majesty's Government can arrive, that their cases shall form the subject of special negotiation.

They have acceded to this view, and they will all leave the river at the same time with me. I shall not quit the Bocca Tigris till the last boat with any of these gentlemen on board, has passed through.

Macao, May 27, 1839.

I have the honour to report my arrival at this place, with all the persons lately detained. I have also to signify to your Lordship, that a recent edict (not sent to me officially) opens the port to the shipping actually

actnally outside; but sets forth that the new regulations, under which they are to trade, shall be made known when they are at Whampoa. I need hardly observe that none have entered; and as soon as I knew of this edict, I published an extract from my notice, Inclosure No. 15 in my despatch of December 6, enjoining the commanders of British ships not to come in.

The notice itself was published on the day before my departure from Canton.

Another circumstance to be announced to your Lordship, is the arrival of the extremely significant commands from Peking on the day before I left Canton, that the whole opium should be sent up to that capital. The expense of the transport will be at least a quarter of a million of dollars; and your Lordship will probably not need the suggestion, that such a removal is irreconcileable with any purposes of destruction.

Macao is still menaced. But an official paper has this moment reached me from the Governor of Canton, which disposes me to hope that it may be in my power to put an end to the actual state of disquietude. It is in reply to my note of leave-taking, in which I mentioned that I was out of health, and should retire to this place.

His Excellency desires that I would endeavour to re-establish my health with rapidity, as there are many important affairs to submit to me; and during my residence at Macao, he enjoins me to exhort all foreigners to give up their opium, and to abstain from its introduction in future. My reply that the Portuguese Government has already taken severe measures, and that I can safely assert there is none here, is probably what is wanted.

Their general confidence in the word of Her Majesty's officer, and my recognized authority by the Emperor, affords them sufficient ground for founding a report upon my declarations. In the case of the difficulties with the American Consul, the Commissioner was not satisfied till he received a certificate from me that his assertions were accurate, and then all further importunity ceased.

I believe, too, my Lord, that there will be no insuperable difficulty in arranging some mode of carrying on the trade from Macao.

In the last few days before my departure from Canton, I ascertained that the high provincial authorities were much alarmed at the proceedings of the Commissioner, and desired to accommodate matters at least upon some temporary footing. In the course of this week every British ship will have left the river, and most of Her Majesty's subjects.

I have, &c.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Macao, May 29, 1839.

P.S.—The delay of a day has enabled me to transmit to your Lordship my note to the Governor of Canton on quitting that place, and his Excellency's reply, above adverted to.

(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 150.

Public Notice to Her Majesty's Subjects.

Canton, May 11, 1839.

THE Chief Superintendent yesterday received an Edict, of which the annexed is a copy, to the joint address of the Consuls of the King of Holland, of the United States, and himself.

By this law, the ships and crews of all nations, henceforward arriving in China, are liable to the penalties, the first of confiscation, and the last of death, upon the determination of this Government that they have introduced opium.

The danger of confiding to this Government the administration of any judicial process concerning foreigners, can scarcely be more strikingly manifested than in the list of names lately proscribed by the High Commissioner.

Evidence that has been good to satisfy his Excellency that these sixteen persons are principal parties concerned in introducing opium, and therefore to justify their detention as hostages, would, of course, be equally good for other convictions of the like nature.

It may be taken to be certain, however, that the list contains the names of persons who have never been engaged in such pursuits, or, let it be added, in any other contraband practice.

In investigation upon such subjects, the Chinese authorities would, probably, be guiltless of any deliberate intention to commit acts of juridical spoliation and murder. But it is plain that, in the present state of the intercourse, there would be excessive risk of such consequences; and therefore the present law is incompatible with safe or honourable continuance at Canton, if nothing else had happened to establish the same conclusion.

It places, in point of fact, the lives, liberty, and property of the whole foreign community here, at the mercy of any reckless foreigners outside, and more immediately at the disposal of the Hong merchants, linguists, compradores, and their retainers.

The Chief Superintendent by no means ascribes general wickedness to those parties, but their situation and liabilities make them very unsafe reporters, and yet it is mainly upon their reports that the judgment of the Government will be taken.

It will be particularly observed, that persons remaining are understood by the Government to assent to the reasonableness of the law.

(Signed) CHARLES ELLIOT,
Chief Superintendent of the trade of British Subjects in China.

Inclosure 2 in No. 150.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow Foo, issues commands to the English Superintendent, Elliot, for his full information.

He has now received from their Excellencies Lin, High Imperial Commissioner and Governor of Hookwang, and Tang, Governor of the two Kwang, the following official injunction:—

" It appears on record, that in the 10th month of last year, an English foreigner, named Innes, residing at Canton, having formed a combination with Kelefat, master of a foreign vessel, bought of the latter opium, which, being brought to Canton, was seized; and on trial, the facts being ascertained, the said foreigners were together ordered away. It was afterwards duly reported by the senior merchants, Howqua and his fellows, that on the 15th of December, they had themselves proceeded to Whampoa, and expelled out of the port Kelefat and his vessel; that Innes had also on the same day gone to Macao, to embark on board ship, and return to his country.

" At that time, I, the Governor, in conjunction with the Lieutenant-Governor, made a supplementary representation of these circumstances to the throne, as is on record.

" On the present occasion, we, the High Commissioner and the Governor, having ourselves repaired to the entrance of the port, to receive the deliveries of opium from all the store-ships, sent at the same time civil and military officers to Macao, to command the Procurador to deliver up whatever opium there was there laid up. The said Portuguese chief man has formally represented, ' that the foreigners of his country have no opium whatever laid up there; but that just now an English foreigner had clandestinely brought some opium into Macao, which the Ouvidor had

had seized and handed over to the English Superintendent, to be by him delivered up.'

"While investigation of this matter was yet in progress, upon the 5th day of the present month, a small boat, with eight chests on board, came up to Shakeo to deliver the same. We then sent the officers deputed to receive, with directions to make inquiry of Johnston. Whereupon Gutzlaff gave for answer, that this opium was conveyed by the master of the boat *Bombay*, for account of Innes, into Macao, and was seized by the Governor of Macao, who sent it under charge of the Portuguese foreign soldiers, having Innes in custody, to be given into Johnston's hands, for delivery to government. This statement corresponds precisely with the representation of the Portuguese foreign chief man.

"The said foreigner Innes, having been expelled from Canton and sent to Macao, in the winter of last year, for having dealings in opium, had a fortunate escape from the net of the laws of the Celestial Empire. But he has not been at all aroused to gratitude or reformation, nor has he taken an early departure, but has dared to protract for a long time his stay, aiming at clandestine ends as of old. He is really in an excessive degree removed from all reform, and abandoned to depravity. At this period of extremely strict investigation, how can he meet with any further indulgent forbearance, by which he would be induced to give full license to his craftful devices?

"We proceed hereon to give these commands, enjoining the Prefect immediately to convey commands to the said Superintendent, in obedience to which he is with instant speed to take Innes, and with severity expel him hence to his own country. He must not allow him for one moment to linger.

"It is requisite that it should be known that the baneful and pervading evil of opium has wholly arisen from the gain-seeking aims after clandestine ends of such men as Innes. The said Superintendent having enjoyed the kind, the tender, and abundant goodness of the great Emperor, and having had reposed in him the confidence of his Sovereign, who has sent him to Kwangtung to punish and restrain the merchants and seamen, to labour with a respectful sense of duty, and with diligence, to this end, is what his station requires of him in the utmost degree. Innes having now thus persisted in evil, and refused to repent, it may then be known that he (the Superintendent) will not, in the slightest degree, seek to pass it over with connivance, whereby he would render himself criminal, by derogation from his duty, and indulgence towards evil. Besides, as the matter concerns a report to the throne, so long as Innes does not move, so long we, the Commissioner and the Governor, cannot stay our hands.

"At the same time, let the time of his being expelled and driven back to his country be speedily reported for careful examination.

"Further, these eight chests receivable, having been a seizure made by the Portuguese foreigners, do not form part of the 20,283 chests, the amount originally stated. Let this be also made known to the said Superintendent, that there may be no opposition."

He (the Prefect) having received this, proceeds to issue commands. [The last four paragraphs of the Commissioner's and Governor's document are here repeated word for word.] A special edict.

Taoukwang, 19th year, 3rd month, 25th day. (8th May, 1839.)

(L.S.) of the Kwang-Chow-Foo.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 3 in No. 150.

Captain Elliot to the Imperial Commissioner and the Governor of Canton.

Canton, May 9, 1839.

ELLIOT, &c., &c., in reply to your Excellencies' communication of the 8th instant, feels compelled to declare, that under the aggravated circumstances now set forth, the commands that Mr. Innes should forthwith sail away from the empire, are just and moderate. And most assuredly he will not delay to forward him the most solemn injunctions, in the name of the Sovereign of his nation, immediately to comply with them.

The date of his embarkation and departure shall be faithfully reported to your Excellencies.

The 8 chests of opium seized from Mr. Innes by the Governor of Macao, and handed to Johnston for delivery to the honourable officers, do not form part of the originial 20,283 chests.

The whole quantity now to be delivered up, will be 20,291 chests.

(Signed) CHARLES ELLIOT.

Inclosure 4 in No. 150.

Captain Elliot to Mr. James Innes.

Sir, *Canton, May* 9, 1839.

I HAVE this day received an official communication from this Government, the translation of which is now forwarded.

A copy of my reply is also forwarded.

And hereupon I have most solemnly to charge you, by your duty to the Queen, and for the general safety of all Her Majesty's subjects, and of the rest of the foreign community here and at Macao, forthwith to embark, and to depart from the shores of this empire with all practicable speed.

You will do me the favour to report to me, by the first opportunity, the name of the vessel on board of which yon embark, and the probable period of your departure.

Copies of these communications will be forwarded to the Governor of Macao.

I will not aggravate, by one word of reproach, the distress I am sure you must feel for having so painfully increased the risks and embarrassments of the whole foreign community, by these pursuits, at such a moment as the present.

The single approach to reparation left to you, is to depart peacefully and speedily. With feelings of sincerest concern for you,

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 5 in No. 150.

Captain Elliot to Don Adriao Accacio da Silveira Pinto, Portuguese Governor of Macao.

Canton, May 9, 1839.

THE Undersigned, &c. &c., has the honour to transmit to your Excellency the translated copy of a paper he has this day received from the High Commissioner and the Governor of Canton, demanding the immediate departure of Mr. Innes, a British subject, from this empire.

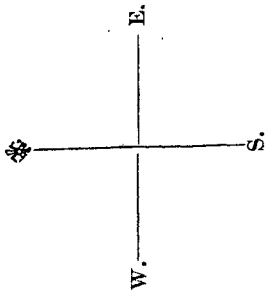
Your Excellency will observe by the accompanying copy of his reply, and of a letter the Undersigned has this day addressed to Mr. Innes, that he cannot but assent to the moderation and justice of this demand. And he owes it to your Excellency, with a view to the safety of Macao, not only to submit this correspondence, but to request in urgent terms, that your Excellency will be pleased to desire Mr. Innes to leave Macao within the space of twenty-four hours.

The Undersigned cannot touch upon the shameless and unfeeling proceedings of some of his countrymeu outside, at the actual crisis, without thanking your Excellency for the great consideration extended towards them; a consideration, however, to which they are not entitled, and which he trusts will be effectually withdrawn from such persons.

The Undersigned, with sentiments of high consideration, has the honour, &c.

(Signed) CHARLES ELLIOT.

Inclosure 6 in No. 140.



This ground, and further to the Eastward, is occupied by the Native Hongs.

Bank of the River.

A Creek.

Creek Bridge.

A Custom-House Station.

Creek Hong.

Dutch Hong.

Dutch Compound.

Landing Place.

Garden.

British Hong.

Landing Place.

Suburbs of the City.

Back-doors of the Foreign Factories used to open into this Street (closed.)

The Avenues and Places in Italics are to be closed; so that it will be observed, that the single open Avenue to the City will be Old China Street, at the head of which a guard is always to be placed. By these means the imprisonment of the Foreigners, and deprival of supplies for any purpose whatever, may always be resorted to at a moment's notice.

Hog Lane (closed.)

A Public Landing Place (closed.)

Fung-Tai Hong.

Lungshun Hong.

Swedish Hong.

A New Inclosure.

Imperial Hong.

Poushun Hong.

American Hong.

Police Station.

Old China Street.

Bank of the River.

Consoo House.

Chung Wo Hong, occupied by a Hong Merchant.

A Public Landing Place (closed.)

French Hong.

A New Inclosure.

Spanish Hong.

Shap Sam Hong, or thirteen Foreign Factories.

Ponhequa, or New China Street (closed.)

Private.

Cow Yard.

Danish Hong.

Lum Hing Street (closed.)

Mowqua Street (closed.)

Suburbs of the City.

Suburbs of the City.

Inclosure 7 in No. 150.

Captain Elliot to the Governor of Canton.

Canton, May 24, 1839.

ELLIOT, &c., &c., having now fully accomplished his pledges to this Government, in the delivery of the whole amount of the opium; and being in bad health has the honour to inform your Excellency that it is his purpose to take his departure from Canton this day, and proceed in his own boat to Macao. He begs at the same time to take leave of your Excellency.

And he has the honour, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 8 in No. 150.

The Prefect of Canton to Captain Elliot.

CHOO, by special appointment, Prefect of Kwang Chow Foo, issues commands to the English Superintendent, Elliot, for his full information.

He has just now received the within commands from Tang, the Governor of the two Kwang.

"Upon the 24th of May, 1839, the English Superintendent, Elliot, presented the subjoined address:—

[*The address of May* 24 (*Inclosure* 7) *is here inserted.*]

"This having been duly received, I, the Governor, have considered it.

"Before, at the time of removing the guard, it was directed that the said Superintendent should leave Canton, in order to conduct the delivery of the opium; but on the ground that all the foreigners remaining at Canton still required to be controlled and restrained, he did not at once prefer his request to depart. At this time, being in bad health, he has presented his address of leave. It is surely right that he should be permitted to go to Macao, that he may be enabled to receive medical treatment.

"At present, although the opium has been all delivered to the amount before stated, yet the High Commissioner and I, the Governor, have still many matters regarding which to direct him to act. The said Superintendent having a respectful sense of duty, and being able in action, must hasten to recover his health speedily. He must not delay, and while he has been ready at the first, be found lacking at the last.

"Let him also, on his arrival at Macao, faithfully and truly examine; and if the foreigners of every nation residing at Macao are guilty of secreting any opium, he must instantly command them, one and all, to deliver up the entire quantity. It is of importance that no remnant of the evil be left.

"I proceed at once to give these commands. When they reach the Prefect, let him instantly enjoin them on the said Superintendent Elliot, that he may pay obedience. Let there be no opposition. Hasten! Hasten!"

The above having reached the Prefect, he forthwith issues the commands. When they reach the said Superintendent Elliot, let him pay immediate obedience. Oppose not. A special order.

Taoukwang, 19th year, 4th month, 12th day. (24th May, 1839.)

True Translation.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

No. 151.

Captain Elliot to Viscount Palmerston.—(*Received September* 21, 1839).

My Lord, *Macao, May* 29, 1839.

THE inclosed is a Memorial, signed by most of Her Majesty's subjects lately resident at Canton, submitted to me for transmission to your Lordship; and I beg leave respectfully to recommend the subject to the early and favourable consideration of Her Majesty's Government.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure in No. 151.

Memorial from Her Majesty's Subjects to Viscount Palmerston.

Canton, May 23, 1839.

WE, the Undersigned British merchants, trading at Canton, consider it our duty to address your Lordship, regarding the recent acts of aggression on the part of the Chinese Government.

These acts of violence, which will be officially communicated to your Lordship by Her Majesty's Superintendent, consist—

1. In the stoppage of the whole legal trade of the port, even of vessels fully laden, and waiting only their port clearances, and against which no ground of complaint is alleged.

2. In the forcible detention in Canton, of all foreigners, including Her Majesty's Superintendents, in order to compel the supposed holders of opium to the surrender of property belonging to themselves, and others in India and Europe, to the value of from two to three millions sterling.

3. In the open and undisguised threat to hold foreigners responsible with their lives for this surrender, and for any future infraction of the Chinese custom laws.

4. In the attempt to force foreigners to sign bonds, rendering not only themselves but all others coming to China, over whom they have no controul, liable to the same penalty, and on the refusal on the part of foreigners to sign such bonds, in the promulgation of an edict by the High Commissioner, declaratory of the determination of the Government to enforce such penalty.

We may be permitted to state that all foreigners reside in Canton on sufferance; that they have no means of ascertaining the laws, except from the acts of the Provincial Government; and that the opium trade has steadily increased from an import of 4,100 chests in 1796, to upwards of 30,000 in 1837, with the open and undisguised connivance of the local authorities.

The importation of opium into China was at one time allowed on payment of a duty, but discontinued in 1796. Its admission was again strongly recommended to the Imperial Government in 1836. No penalties have ever been enforced against foreigners bringing it to China, and the prohibitory laws have never been a rule to the functionaries of the Chinese empire, who should have administered them, nor to the Chinese people on whom they were intended to operate, which facts are openly admitted in the recent edicts of the Imperial Commissioner, under date the 18th March last, in which he states "that the prohibitions formerly enacted by the Celestial Court against opium were comparatively lax," and that "the foreigners are men from distant lands, and have not before been aware that the prohibition of opium is so severe."

We may further state that the peculiar character of the opium trade was distinctly recognized in the Report of the Select Committee of the House of Commons, in 1830, and that in the subsequent Report, in 1832, the

the Committee express their opinion "that it does not seem advisable to abandon so important a source of revenue as the East India Company's monopoly of opium in Bengal."

We conceive it will therefore be admitted that British subjects have carried on this trade with the sanction, implied, if not openly expressed, of their own Government; and at the same time with an advantage to the revenue of British India, varying of late years from one to one and a half millions sterling.

We do not attempt to deny the unquestionable right of the Chinese Government to put a stop to the importation of opium, and have readily signed an agreement to abstain from that trade at Canton, on the first requisition of the Government to that effect; but we think your Lordship will perceive that long prescription had hitherto given foreigners ample reason to question the sincerity of the Chinese Government with regard to the discontinuance of the importation; and that, under any circumstances, that Government cannot be justified, by the lax observance of prohibitions, and open connivance of its officers, in at one time fostering a trade involving several millions sterling, and at another rendering its pursuit a pretext for spoliation.

There seems no reason to doubt, from the late proceedings of the local Government, that they have always had the power most materially to check, if not totally to put a stop to, the importation of opium, when disposed so to do; but that power has seldom hitherto been exercised, except for the purpose of exacting higher fees for its introduction.

The proceedings of the High Commissioner, since his arrival in Canton, will be fully reported to your Lordship by Her Majesty's Superintendent; but we may observe, that his demand for the unconditional surrender of the whole of the opium in the depôt ships, was one with which foreigners could not comply, the great bulk of that opium being the property of others in India and elsewhere; and they were equally unable to give the bonds required.

The High Commissioner finding, at the expiration of three days, the time within which he had ordered the whole of the opium to be delivered up, and the bonds to be given, that his orders had not been obeyed, sent the Hong merchants in chains to the foreign factories, threatening to put them to death before our doors, and at the same time commenced other menacing preparations against the foreigners themselves.

At this stage of the business, Her Majesty's Chief Superintendent arrived in Canton.

We feel it our duty to express to your Lordship our deep sense of the public spirit which induced this officer, at no inconsiderable risk, to endeavour to rescue British life and property from a position of fearful jeopardy; and we may assure your Lordship, that but one feeling existed of the extreme peril of the whole community, when he succeeded in forcing his way to Canton, and took charge of all responsibility in the negotiations with the Chinese Government.

Although the measures of Her Majesty's Representative have relieved us from all responsibility, in surrendering so large an amount of property, we may still be allowed respectfully, but earnestly, to entreat your Lordship's mediation to obtain the earliest possible fulfilment of the guarantee given on behalf of Her Majesty's Government, and thus be the means of saving many of the owners of the property from inevitable ruin, and all of them from heavy loss.

We deem it also an imperative duty to assure your Lordship most solemnly of our firm conviction, that the public approval, on the part of Her Majesty's Government, of this prompt interposition of Her Majesty's Representative, and the early adoption of such measures as the wisdom of Her Majesty's advisers may determine on, with regard to our future relations with the Chinese empire, can alone avert the occurrence of similar, or even more violent outrages.

We beg further to state to your Lordship, that, independently of the opium now violently seized, there was at the same period British property of other kinds in Canton to the value of upwards of one million sterling, besides

a large and valuable fleet of shipping lying at Whampoa, consigned to our care, but totally beyond our controul: and although this property was not alleged to have incurred any penalty, the High Commissioner never attempted to distinguish the participators in the one trade, from those in the other, but placed both under one common suspension, and the whole body of foreigners in arbitrary confinement.

After the completion of the delivery of the opium surrendered, the High Commissioner has expressed an intention of opening the legal trade, under new regulations; but circumstances do not justify us in entertaining the expectation that these regulations will afford any security for life or property.

We therefore think your Lordship will be convinced that some serious alterations in our relations with this empire are indispensably necessary; and that British commerce can never be safely carried on, and certainly can never flourish, in a country where our persons and property are alike at the mercy of a capricious and corrupt Government.

In conclusion, it only remains for us again to urge upon your Lordship and Her Majesty's Government, the great importance of an early recognition of our claims on account of the opium surrendered for Her Majesty's service; and the pressing and paramount necessity of placing the general trade of British subjects upon a secure and permanent basis.

(Signed)

Dent and Co.	Burjoojee Manockjee.
Lindsay and Co.	Daniell and Co.
Bell and Co.	Framjee Dadabhoy.
MacVicar and Co.	Bomanjee Manockjee.
Dirom and Co.	Cowajee Sapoorjee.
Gibb, Livingston, and Co.	Sackhuson Budrooden.
Charles Compton.	Burjorjee Surabjee.
D. M. Rustomjee.	Nasserwanjee Framjee.
Pro Jamieson and How,	Nasserwanjee Dorabjee.
William Almack.	Nasserwanjee Bomanjee Inadej.
W. and I. Gemmell and Co.	Dossabhoy Hormusjee.
Bibby, Adam, and Co.	Pestonjee Ruttonjee Laroff.
Turner and Co.	Abodin and Sumsoodin.
Robert Wise, Holliday, and Co.	Framjee Sumsobjee.
Heerjeebhoy Rustomjee.	Cowasjee Proajee.
Hormajee Framjee.	Pestonjee Norooajee.
Shasmkshaw Rustomjee.	Jamsetjee Rustomjee.
Cowasjee Pallanjee.	Bomanjee Byramjee.
Bomanjee Hosonojee.	Cursetjee Sapoorjee.
Palanjee Nasserwanjee.	Nasserwanjee Dorabjee.
Cowasjee Eduljee.	Jamsetjee Eduljee.
Cowasjee Shapoorjee Taback.	*And other Parsee merchants whose signatures are undecipherable.*

No. 152.

Captain Elliot to Viscount Palmerston.—(*Received December* 9, 1839.)

My Lord, *Macao, June* 14, 1839.

THE inclosures form the continuation of a correspondence with Mr. Innes, the earlier part of which has already been transmitted in my despatch of May 18.

The demand of the Commissioner and the Governor, that he should depart, was founded on the transactions of December last, already reported to your Lordship, as will at once appear by reference to Inclosure No. 2 in my despatch of the 18th ult.

Upon

Upon the understanding or agreement with the Hong merchants, to which Mr. Innes adverts in his letter of the 29th May, it is only necessary to remark, either that he entirely misconceived them, or that they easily deceived him.

At all events, it is certain that they were wholly without power to enter into such an agreement; that nothing of the kind exists in a tangible form; and that Howqua (the survivor of the merchants mentioned by Mr. Innes) assured me it was a mistake from beginning to end, adding the expression of his strongest belief, that the Governor must have removed Mr. Innes by force, if he had not gone out by peaceable means. I entertain a similar opinion, and the more strongly, because I was frequently asked at the time by the merchants, whether I should remonstrate upon the part of Her Majesty's Government, if his forcible expulsion became necessary.

I replied, certainly not, if the measures of the Chinese Government were confined to that step, because I believed it would be thought, by my own, to be a reasonable and moderate expiation of the offences he had committed; but I impressed upon them my conviction, that Mr. Innes's imprisonment, or any proceedings of a still more urgent nature, would assuredly produce serious difficulties between the two countries.

It is highly probable the merchants said and believed, that after a quiet residence at Macao, and abstinence from illicit pursuits for some considerable period of time, he might return unobtrusively to Canton, and live there unmolested by the authorities, so long, at least, as he was carrying on no such course of contemptuous defiance of the laws of this country, and of common prudence and propriety, as had led to his expulsion in December.

Concerning the particular transaction which produced the present measures of the Government in his respect, I will only say, that Mr. Innes's refusal to declare that the opium in the *Bombay*, on the 11th April last, was there for purposes of storage, and not for delivering to Chinese, is a highly suspicious circumstance; the more so, when it is coupled with a similar refusal to deny that he was extensively engaged in pursuits of the kind, pending our late confinement at Canton, as was notoriously supposed to be the case by, I will venture to say, at least seven-eighths of the whole foreign community in China.

I have acted, my Lord, on this occasion, upon the principle, that the demand of the Chinese Government was just and reasonable; that it was necessary for the safety of this settlement, then menaced, and for the safety of the foreign community then confined in Canton.

The proceedings of this gentleman and the other reckless individuals within the river, and at the factories, brought to a close in December last, had very nearly led to an armed search of those buildings pending our late captivity at Canton.

It was with the utmost difficulty, my Lord, that I averted a measure which could never have been carried into effect without bloodshed; and the painful anxiety noticed in my letter to Mr. Innes, of the 23rd May last, arose from my belief, that it was aimed particularly at his late dwelling-house, in which I had every reason to suppose opium was then lying; how well-founded, need not now be declared!

When I am called upon, by the command of Her Majesty's Government, to defend myself against Mr. Innes's charges, I entertain a confidence, that it will be in my power to do so successfully; but, for the present, I owe it to your Lordship, pressed with the most important business of the country, and, let me most respectfully add, to myself, to close my report at this point, with the hope that the case carries the justification of the only measure I have taken upon the face of it, namely, an injunction to Mr. Innes to depart from the shores of this Empire, in conformity with what, I am satisfied, are the just and reasonable demands of its Government. Whether he does so or not, is a matter which will need further interference or not, as his continuance affects the general safety or his own. But I have long since determined to incur the responsibility of apprehending his person, whenever I see reason to think that his defiance of the authority of the Chinese Government is dangerous to the safety of the community and public interests under my superintendence; and I depend, with confidence, on the support of Her Majesty's Government in all such emergencies.

I have, &c.,

(Signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 1 in No. 152.

Mr. Innes to Captain Elliot.

Sir, *Macao Roads, May* 17, 1839.

I HAD the honour to receive your letter, of date Canton, 8th instant, this evening, and its accompanying translations of Chinese documents.

As to matters previous to 15th December last, my departure that day for Macao being recognised by the then Chinese authorities, as an expiation of any supposed offence on my part, previous to that is a shut book.

Were the facts after that date, as you now narrate them, I should pause ere I adopted your order to embark for another country, and leave the heavy affairs intrusted to me in China without a head in such times as these; but as the whole transaction, as stated by you on Chinese authority, is an entire fabrication, I write the affair as it took place, and give you my proofs opposite to each assertion.

So placed, I leave it to you, whether you will or not endeavour to open the eyes of the Imperial Commissioner; you will do in that as you see fitting.

As I, however, thus produce proof to you, beyond the shadow of a doubt, of the falsehood of the charge you narrate against me, I submit to you, that I expect from your justice, not from favour, a recal of your order to embark myself for England! as you, by such order, add the authority of my own country, in doing wrong, to any illicit act the Commissioner may attempt against me.

I also expect from your good feeling an explicit retraction of your averment, that I have designedly added to the miseries of the Canton residents.

After deliberate perusal of the Notes of Proof subjoined, and after any inquiry you may please to institute of the witnesses I name, I shall anxiously look for your answer, as, by the tenor of it, my future conduct may be somewhat guided.

I have, &c.,
(Signed) JAMES INNES.

Inclosure 2 in No. 152.

Notes of the Facts connected with Eight Chests of Patna Opium, delivered at the Bocca Tigris, from the Schooner Bombay, *to Mr. Johnston, on 5th May,* 1839.

AVERMENT.	PROOF.
1. ON the 8th April, these chests of opium, then in the *Hercules*, were made over to J. Innes by a Portuguese subject.	J. P. Sturgis, Esq.
2. The *Hercules* having to go up to Bocca Tigris, and these chests forming no portion of her delivery, they were taken out of the *Hercules* and put into the schooner *Jardine* for safety. On the 10th, the *Jardine* being under orders to go east, to order back ships on the coast, this opium was taken from her, and put into the *Bombay*, with a view to transhipment on the *Rob Roy*. The weather came on to blow, and on the 11th, the *Bombay* run in for shelter, close to the Praya Grande, and within 100 yards of a Chinese war junk. On that night, betwixt 9 and 11 o'clock, the *Bombay* was robbed of her opium by a band of armed English sailors.	Captain Denholm, of *Jardine*. Six prisoners in Jail.

5. The

3. The morning of the 12th, Sr. Barretto and J. Innes, as soon as the robbery was heard of, waited on the Governor of Macao, and complained of the robbery. The Governor advised a criminal action to be raised before the Judge (or Minister); this was done, and its result is six prisoners in the Macao jail, acknowledgedly guilty! and the recovery of the opium.	The Governor. The Judge. The Record of the Criminal Court. Sr. Barretto.
4. No illegal act being done by J. Innes, he applied, by petition, to the Judge for restoration of the property he had been robbed of. The Judge evaded this, not because it was unjust, but from fear of the Chinese Government. A compromise ultimately took place, by which it was agreed the opium should be given up to Mr. Innes, on condition he surrendered it to Captain Elliot, and produced Mr. Johnston's receipt, stipulating that two Macao Custom-house officers should attend the *Bombay*, which stipulations were duly fulfilled.	The Judge. Sr. Barretto. Sr. B. de Mello. Sr. Assiz. Sr. B. de Mello. Mr. Johnston.
5. Mr. Innes went up to the Bocca Tigris under no restraint! The schooner was his; the six sailors and master paid by him; the Custom-House Officers were fed by him; and on his return to Macao, he presented these men with twenty-five dollars, being above their usual wages.	Everson, Master of *Bombay*. Officers. Sr. B. de Mello.

(Signed) JAMES INNES.

Inclosure 3, in No. 152.

Mr. Innes to Captain Elliot.

Sir, *Macao Roads, May* 19, 1839.

IN making up your mind in the truth or falsehood of the recent Chinese information against me, be pleased to give the inclosed such weight as it deserves.

I have, &c.,
(Signed) JAMES INNES.

Inclosure 4 in No. 152.

Sr. Barretto to Mr. Innes.

Sir, *Macao, May* 18, 1839.

I AM both surprised and sorry that the Chinese Government have given a false statement about your eight chests, and that upon the strength of it, Captain Elliot has ordered your deportation.

I do not think the Macao Government can be to blame on the matter; in the first chop on the subject, from the Portuguese to the Chinese Authorities, no names were mentioned; a foreigner was the phrase used; and in the second, Kent is named as the principal robber. This, as far as I know, is the real truth.

Braz says your cooly is still in confinement, but has not confessed anything; and the Mandarins are investigating the business; the result of course is uncertain.

I have, &c.,
(Signed) B. BARRETTO.

Inclosure 5 in No. 152.

Captain Elliot to Mr. Innes.

Sir, *Canton, May* 23, 1839.

YOUR letters of the 17th and 19th reached me late last evening.

I cannot agree with you that your departure from Macao has, at any time, been considered by the Chinese Authorities, to be an expiation of offences on your part, previous to the 15th December last. In my judgment, the reverse of this position is established in the translation of the official paper lately sent to you. And I have other strong reasons for believing that you could never have returned to Canton to reside, without inducing serious public inconvenience. My own assent to the justice and moderation of the present demand that you should leave the country, referred chiefly to the events of December last, and the commands then issued. And upon these grounds, I must decline to make any further communication to the Commissioner upon that subject.

The unfortunate course of conduct which led to your expulsion in December, has occasioned me, as the officer of your country, some of the most wretched moments I ever passed in my life, during my present residence in Canton.

Your word of honour that the opium in the *Bombay*, was there for the purposes of storage, and not with any intention of delivery to Chinese, during the existence of the difficulties at Canton, would have been perfectly satisfactory to me. And if I am clearly to understand that this assurance is involved in the notes now forwarded to me, I can have no hesitation in declaring that my previous impressions on that point are removed.

I am also ready (and it will afford me gratification to do so) explicitly to retract any expressions I have used in my letter to you, founded upon the belief that you had been engaged in the notorious and dangerous smuggling pursuits below, pending the actual state of things at Canton, if you will transmit me an explicit declaration upon your honour, that you have been in no wise concerned in the traffic, for yourself or for others, either at Macao, or immediately outside, during the period to which I advert.

I must now once more urgently charge you in Her Majesty's name, for public considerations of pressing moment, to leave the shores of this Empire as soon as possible; and for the general safety and convenience, I must further call upon you by no means to attempt to come to Canton, or to land at Macao, during the interval that the conclusion of indispensable arrangements may still detain you on the coast.

In conclusion, you will give me leave to correct two cases of misapprehension in your letter of the 17th instant.

In the first place, I have never ordered you to go to England.

And in the second, I have never averred that you designedly added to the miseries of the Canton residents.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 6 in No. 152.

Mr. Innes to Captain Elliot.

Sir, *Macao Roads, May* 30, 1839.

YOUR favour of date 23rd May, only came to my hand yesterday, but it is due to you to say the delay was not caused by you.

You are pleased to express dissent as to my settlement with the local authorities in Canton, in December, being a final one. Let us examine whether your dissent is founded on any grounds so good as my assertion that it was final. You was in no respect a party to that agreement! I was! On the part of the Governor of Canton, Howqua and Mowqua acted, and for me; and whose names I inclose in a separate sealed paper, and to these parties I refer you to prove that an essential part of that agreement was a quiet domicile at Macao in the meanwhile, with a return to Canton at no distant period, and which period is now past!

In

In return for this, I gave value, at the time, viz., a withdrawal from Canton without violence, and so opening trade which was made to depend on that. I kept my portion of the bargain, the Chinese break theirs,—and without hearing me, you assist them in this breach of faith by a penal enactment.

Now for Macao. It appears to me that you are not aware that selling opium in Macao up to a very recent date was as lawful as any other commodity; —so long as it was lawful, I landed at the Macao Custom-House considerable quantities when I sold, but the day it became illegal, I ceased to do so, and never more or less acted contrary to the Macao rules.

On the 11th April, the day the *Bombay* was robbed, no order or caution of yours had reached Macao, and my operation was strictly customary and lawful.

The Im-Cha accuses me falsely of a contraband act, and without hearing me you again come to his aid with a penal order. I go out of the course of what is usual, and disprove that which it was your duty to prove against me before passing sentence, and after such disproof you refuse to recall your order for leaving China. Is it in accordance with the spirit or the law of England for a high Magistrate to act thus? In all criminal charges, it is the business of the Magistrate to prove the crime and then punish. On the authority of a Chinese, (and the faith, in which sort of proof you yourself in a public Edict expressly threw doubt upon,) you unheard inflict punishment; and when proof of innocence is offered, you refuse to retract. This is highly unjust and oppressive. I have no other remedy than to test public opinion by the press. As to your reference to word of honour betwixt a Magistrate and an alleged offender, it is highly irregular, and no one who respects his honour, will pledge it in a matter where, doing so, he may be held by the world to prefer his interest to his honour.

Your order to leave China, except as it strengthens the tyrannical acts of the Chinese Commissioner, and as it induces the frightened Governor of Macao to withold his protection from me, and to which I am equally well entitled with yourself, is waste paper, because you will not find any master of a ship so insane as to desert me against my will; and I give you distinctly to understand, that looking on your Order as illegal, I shall land and stay in China whenever I consider it prudent to do so, without any reference to you; though it would have been more respectable for you, and more pleasant for me, to have received from your justice what I shall take for your weakness.

Besides your orders, you favour me with your opinion on morals; now my age: having passed the better period of my life amongst the civilized and the educated, and above all, an inward monitor, with whom I seldom quarrel, enables me to compare your opinion of morals with my own, and yours in the balance is wanting; so in any future letters it will save you time, and me temper, if you abide closely by your instructions under the law as Her Majesty's Superintendent, and which orders, when legally given, no subjects of the Crown will be more obedient to.

I have, &c.,
(Signed) JAMES INNES.

Inclosure 7 in No. 152.

Mr. Innes to Captain Elliot.

May 30, 1839.

W. JARDINE and James Matheson, Esqs., acted for me in my settlement at Canton, in December last, and both will testify that a quiet residence at Macao meanwhile, and return to Canton at no distant period, formed an essential part of that agreement.

I am, &c.,
(Signed) JAMES INNES.

Inclosure 8 in No. 152.

Mr. Innes to Captain Elliot.

Sir, *Macao Roads, June* 12, 1839.

INCLOSED I send you the verified copy of a petition to Her Majesty in Council, complaining of your conduct towards me, which petition I have considered it my duty to transmit for presentation.

I am, &c.,
(Signed) JAMES INNES.

To the Queen's Most Excellent Majesty in Council.

Macao Roads, Austen, *June* 8, 1839.

THE Humble Petition of James Innes, British born subject, and at present a merchant in China.

Petitions and complains unto your Majesty, of the unlawful acts of your Majesty's Chief Superintendent in China, Captain Charles Elliot, and that, under the following circumstances:

That your Petitioner has been thirteen years resident in China, during which period he has traded considerably in Opium, which traffic has been likewise followed by at least nine-tenths of your Majesty's subjects resorting to China. That your Petitioner in the above period has sold opium to the licensed Hong merchants, and has delivered opium to the boats of his Excellency the Governor of Canton, and to many other Government officers. In November last, the Chinese Government commenced severe measures to prevent the importation of opium into China, and in the course of that Government's proceedings had your Petitioner met with loss or personal inconvenience, your Petitioner would not have considered himself entitled to any protection from your Majesty's throne; but your Majesty's Chief Commissioner here having brought the weight of your Majesty's authority in aid of the Chinese in this matter, and having also, as your Petitioner humbly submits, used such authority in a way not legal, your Petitioner humbly approaches your Majesty's throne, sanguine in hopes of redress.

Your Petitioner produces herewith papers printed and verified on oath which will best explain the course followed by Captain Elliot; and to the said Captain Elliot another verified copy is served with a verified copy of this Petition.

Your Petitioner referring to these Documents with submission, considers the interference of Captain Elliot with the sale or delivery of opium on the high sea, as beyond his powers, because the British Indian Government is supported in its monopoly of this article in its public sales under the declared intention that it is meant for the Chinese market! therefore, by implication, it is fair to conclude that as your Majesty and your faithful Lords and Commons support the Government of India in this trade, meant for China, it is beyond the powers of a merc resident Consul of your Majesty to assert a right to make it illegal.

Your Petitioner further says, that in his particular instance, Captain Elliot has broken an essential principle of the British criminal law in condemning him unheard and unconfronted with the witnesses against him. That Captain Elliot has proceeded to punishment of a British subject, on the notoriously false evidence of Chinese! and the tattle of women! and on the gossip of men all unsworn! Instead of proceeding on the sworn evidence of credible witnesses, and instead of allowing your Petitioner to disprove his alleged crime, Captain Elliot took his proofs in secrecy, and condemned unheard!

Your Petitioner further says, that had Captain Elliot possessed the physical power of deporting him and had used it, in that case your Petitioner would have sought his redress in one of your Majesty's Courts of Law, as is usual in such cases; but here the indirect act of your Majesty's Superintendent bringing the awe of your Majesty's authority to bear on the timid Governor of Macao, has had the effect of depriving your Petitioner of the protection of that friendly power which he, in common with ~~every subject of your~~ Majesty's Crown, was entitled to—the consequences are, being obliged to abandon his house in Macao! his being

left

left a wanderer without shelter in a very distant and most unhospitable country; the result of which is injurious to your Petitioner's health! ruinous to his mercantile credit! and totally renders him incapable of carrying on his pursuits as a man of business, which is his sole means of support; and this, without so far as your Petitioner is aware, his having broken one law of the British Government.

Your Petitioner for these reasons, humbly implores your Majesty in Council, to issue instructions to your Majesty's Superintendent in China, to retrace his steps and to use the influence of your Majesty's name to restore to your Petitioner the protection of the Portuguese Governor of Macao, or otherwise to do in the Premises as your Majesty and Council shall judge best.

And your Petitioner will ever pray.

(Signed) JAMES INNES.

No. 153.

Captain Elliot to Viscount Palmerston.—(*Received December 2, 1839.*)

My Lord, *Macao, July 8, 1839.*

THE inclosures I have the honour to submit, are—

No. 1. A translation of the general receipt by the officers of the Chinese Government for 20,283 chests of opium; and four other documents, being—

First (Inclosure 2).—Form of receipt granted by the Deputy Superintendent at Chuenpee for the particular parcels of opium as they were delivered to him from the respective ships, and carried to the account of the surrendering individuals or firms. These receipts of Mr. Johnston were the vouchers I required for a title to my general receipt for the whole opium surrendered by each person or firm, and have been deposited in this office, as the general receipts were taken out.

Second (Inclosure 3).—Is the form of my general receipt (on delivery of the above vouchers of Mr. Johnston) to each British firm surrendering opium.

Third (Inclosure 4).—A form of the like kind granted to individual British merchants, not members of any firm.

Fourth (Inclosure 5).—A form of the special receipt granted for opium, declared to be British owned, but surrendered by the citizens or subjects of foreign powers.

I have submitted these forms in order that your Lordships may have before you in one view, the whole manner in which this opium has been received and acknowledged, and of the precautions which it has been in my power to take towards the proof of British ownership.

Requesting reference to the printed copy of my notice of the 27th March affixed to each receipt, it has occurred to me that this is a convenient place to explain why I made use of the word "command" in preference to "demand," which I had originally intended. Upon attentive reflection, it seemed to me that the latter term implied less of unconditional constraint, than a bare "Command," to a person actually in the situation of a close prisoner, which was my position at that moment. Upon the whole, therefore, I thought it right to adhere in the Chinese versions of all my addresses to the Government to the use of the identical character of insistance they used to me: and in all translations, and all public acts founded upon the measures of the Government, it appeared to me to be safest to employ the English words most closely significant of the Chinese sense.

I have, &c.,

(signed) CHARLES ELLIOT,

Chief Superintendent.

Inclosure 1 in No. 153.

Receipt given by the Chinese Authorities on the delivery of the Opium.

THE Kwang-Chow-Foo and other officers deputed by the High Imperial Commissioner of the Celestial Court, regarding the receipt of chests of opium delivered up.

It now appears that the English Deputy Superintendent Johnston has delivered up, from on board the store-ships, twenty thousand two hundred and eighty-three chests of opium, examined and received the 6th day of the present month.

We proceed, therefore, to give a sealed acknowledgment, as evidence of the fact. An acknowledgment highly necessary to be held.

Given the 19th year of Taoukwang, 4th month, 16th day (18th May, 1839.)

(L.S.) of the Kwang-Chow-Foo.

No. 97. Issued the ninth day.

Inclosure 2 in No. 153.

Form of Receipt granted by the Deputy Superintendent at Cheunpee.

No.

Cheunpee, 1839.

From Ship Master

Chests Opium on account of order of

For Chests on the Ship Regd. Fo.

Marks and Quality.

	P.	B.	M.		P.	B.	M.

No.

Cheunpee 1839.

Received on account of the Chief Superintendent of the Trade of British Subjects in China for delivery to the Chinese Government—the following Opium from Ship Master Chests Opium Marks and Quality as under—on account of order for Chests on Ship Regd. Fo.

For Chests.

(Signed) A. R. Johnston,
Deputy Superintendent.

Marks and Quality.

	P.	B.	M.		P.	B.	M.

Inclosure 3 in No. 153.

Form of Receipt granted for British owned Opium, surrendered by a British Firm.

Registered, No.

I, Charles Elliot, Chief Superintendent of the Trade of British Subjects in China, hereby acknowledge to have received from British subjects trading in Canton chests of opium

opium as under for the service of Her Majesty's Government, in terms of my Public Notice to British subjects, dated 27th March, 1839, hereunto annexed. The amount of indemnity for said opium to be paid to . . . . . or . . order.

_____	Chests	Patna.
_____	do.	Benares.
_____	do.	Malwa.
_____	do.	Turkey.

Total_____Chests.

In witness whereof I have affirmed to four documents, all of this tenor and date, one of which being made good the others to stand void.

I a member of the British firm of of Canton, do hereby make oath that the Opium specified above was at and before the issue of the Public Notice to British subjects, signed by Charles Elliot, Her Majesty's Chief Superintendent, under date Canton, 27th March, 1839, either *bonâ fide* the property of my firm of or consigned to us with full control as to its disposal. And I do further solemnly declare, that no collusive transfer of any part whatever of said Opium was made either to me, or to any other member of my firm, by the subject of any foreign nation, but that the whole of the Opium was surrendered by myself and partners in the character of British subjects to the Chief Superintendent for the service of Her Majesty's Government, being in all respects, to the best of my knowledge and belief, Opium falling within the letter and spirit of the before-mentioned notice to British subjects.

Sworn before me at Macao, in China, this } day of June, 1839. }

(Signed) CHARLES ELLIOT,
Chief Superintendent.

I, CHARLES ELLIOT, Chief Superintendent of the Trade of British subjects in China, do hereby certify that the person making the within affidavit, is well known to me as a British subject and member of the British firm of established at Canton.

Given under my hand and seal of office at Macao, in China, this } day of June, in the year of our Lord, 1839. }

Public Notice to British Subjects.

I, CHARLES ELLIOT, Chief Superintendent of the Trade of British subjects in China, presently forcibly detained in Canton by the provincial Government, together with all the merchants of my own and the other foreign nations settled here, without supplies of food, deprived of our servants, and cut off from all intercourse with our respective countries, (notwithstanding my own official demand to be set at liberty, so that I might act without restraint,) have now received the commands of the High Commissioner issued directly to me under the seals of the honourable officers to deliver into his hands all the opium held by the people of my country. Now I, the said Chief Superintendent, thus constrained by paramount motives affecting the safety of the lives and liberty of all the foreigners here present in Canton, and by other very weighty causes, do hereby, in the name and on the behalf of Her Britannic Majesty's Government, enjoin and require all Her Majesty's subjects now present in Canton forthwith to make a surrender to me, for the service of her said Majesty's Government, to be delivered over to the Government of China, of all the opium belonging to them or British opium under their respective control: and to hold the British ships and vessels engaged in the trade of opium subject to my immediate direction: and to forward to me, without delay, a sealed list of all the British owned opium in their respective possession. And I, the said Chief Superintendent, do now, in the most full and unreserved manner, hold myself responsible for, and on the behalf of Her Britannic Majesty's Government, to all and each of Her Majesty's subjects surrendering the said British owned opium into my hands, to be delivered over to the Chinese Government. And I, the said Chief Superintendent, do further specially caution all Her Majesty's subjects here present in Canton, owners of or charged with the management of opium, the property of British subjects, that, failing the surrender of the said opium into my hands at or before six o'clock this day, I, the said Chief Superintendent, hereby declare Her Majesty's Government wholly free of all manner of responsibility or liability in respect of the said British owned opium.

And it is specially to be understood that proof of British property and value of all British opium surrendered to me agreeably to this notice shall be determined upon principles and in a manner hereafter to be defined by Her Majesty's government.

Given under my hand and seal of office at Canton in China, this twenty seventh day of March, in the year of our Lord one thousand eight hundred and thirty-nine, at six of the clock in the morning.

(L. S.) (Signed) CHARLES ELLIOT,
Chief Superintendent of the Trade of British Subjects in China.

Registered No.

(Signed) E. ELMSLIE,
Secretary and Treasurer to the Superintendents.

Inclosure 4 in No. 153.

Form of Receipt granted for British owned Opium surrendered by a British Subject.

Registered. No.

I, CHARLES ELLIOT, CHIEF SUPERINTENDENT OF THE TRADE OF BRITISH SUBJECTS IN CHINA, hereby acknowledge to have received from
British subject trading in Canton chests of Opium as under for the service of Her Majesty's Government, in terms of my Public Notice to British subjects dated 27th March, 1839, hereunto annexed. The amount of indemnity for said Opium to be paid to . . . . . or . . order.

_____	Chests	Patna.
_____	do.	Benares.
_____	do.	Malwa.
_____	do.	Turkey.
Total _____	Chests.	

In witness whereof I have affirmed to four documents, all of this tenor and date, one of which being made good, the others to stand void.

I, of Canton, do hereby make oath that the Opium specified above was at and before the issue of the Public Notice to British subjects, signed by Charles Elliot, Her Majesty's Chief Superintendent, under date Canton, 27th March, 1839, either *bonâ fide* the property of me the said , or consigned to me with full controul as to its disposal. And I do further solemnly declare, that no collusive transfer of any part of said Opium was made to me by the subject of any foreign nation, but that the whole of the Opium was surrendered by myself in the character of a British subject to the Chief Superintendent for the service of Her Majesty's Government, being in all respects, to the best of my knowledge and belief, Opium falling within the letter and spirit of the before-mentioned notice to British subjects.

Sworn before me at Macao, in China, this day of June, 1839.

Chief Superintendent.

I, CHARLES ELLIOT, Chief Superintendent of the Trade of British subjects in China, do hereby certify that the person making the within affidavit, is well known to me as a British subject established at Canton.

Given under my hand and seal of office, at Macao, in China, this day of June, in the year of our Lord, 1839.

Public Notice to British Subjects—(as in previous document.)

Inclosure 5 in No. 153.

Form of the General Receipt granted for British-owned Opium surrendered by American and Portuguese Firms.

Received from a citizen of and a member of the firm of the following opium, which the said solemnly and sincerely declared before me to be the property of a British subject.

And proof of the said opium being established in the manner provided in my Public Notice, dated this day, I do hereby hold Her Majesty's Government responsible for the value thereof, also to be determined agreeably to the provisions contained in my Public Notice.

Given under my hand and seal this Twenty-seventh day of March, of the year of our Lord 1839, at Canton in China.

CHARLES ELLIOT,
Chief Superintendent of the Trade of British subjects in China.

Registered. No.

(Signed) E. ELMSLIE,
Secretary and Treasurer to the Superintendent.

No. 154.

Captain Elliot to Viscount Palmerston.—(*Received December* 2, 1839.)

My Lord, *Macao, July* 18, 1839.

THE inclosed communication to the Agents of two British merchant ships, (of which the seamen had been most improperly allowed to go on shore at Hong-Kong, and thus became engaged in a riot, attended unhappily with loss of life,) will most conveniently place your Lordship in possession of the present posture of that affair.

The immediate departure of a ship for Bombay obliges me to be very brief on this occasion; but I believe your Lordship may be assured, that it has been in my power to avert any aggravation of the serious difficulties of our situation, arising out of this distressing event.

My despatches, at present in course of preparation, and which will probably reach England as soon as the present one, will inform Her Majesty's Government fully upon the progress and state of general affairs at this place. At all events, it may be satisfactory to your Lordship to know by this opportunity, that everything remains quiet, and that the natives have not been molested in the supply of the ships with provisions.

The High Commissioner still remains at Canton; and I learn, through a highly respectable native channel, that he dares not venture to leave the provinces till he can report to the Throne the peaceful resumption of the regular British trade.

His Excellency's perplexity too, is said to be intensely increased by the impulse which it was natural to expect his late rash measures would give to this traffic, at other points of the coast than this. In several parts of Fokien they have already produced a formidable organization of the native smugglers, and the officers of the Government do not venture to disturb them. The high prices in China will soon bring on the immense stocks in India; and, indeed, whilst I am writing to your Lordship, a most vigorous trade is carried on at places about 200 miles to the eastward of Canton.

I am more and more convinced, my Lord, that the late crisis, and the just ground of interference afforded to Her Majesty's Government, will enable it to interpose, under the most favourable circumstances, for the establishment of regular and honourable trade on a firm basis, and, let me take the liberty to add, for the effectual check or regulation of a traffic, which by the present manner of its pursuit must every day become more dangerous to the peace of this ancient empire, and more discreditable to the character of the christian nations, under whose flags it is carried on.

But, my Lord, the difficulties in China are not confined to this matter of Opium, the true and far more important question to be solved, is whether there shall be honourable and extending trade with this empire; or whether the coasts shall be delivered over to a state of things which will pass rapidly from the worst character of forced trade to plain buccaneering.

If the High Commissioner had accepted the sincere offers I made to him on the 24th March last, I am well assured that far more would have been done to diminish the imminent danger of such a state of things, than has resulted from his own impetuous and ill-considered proceedings.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure in No. 154.

Captain Elliot to Messrs. Jardine, Matheson and Co., and Messrs. Dent and Co.

Gentlemen, *Macao, July* 15, 1839.

I AM concerned to acquaint you, that a very serious riot took place in the neighbourhood of a village on the eastern shore of the anchorage in Hong Kong Bay, in the afternoon of Sunday, the 7th instant, in which several seamen of the ships *Carnatic* and *Mangalore*, were engaged.

There is strong reason to fear, that a native named Lie-wy-Lie lost his life on this occasion; and for the ends of justice, I have offered a reward of 200 dollars on the part of Her Majesty's Government to any person or persons who shall adduce evidence leading to the conviction of any other person or persons, (being subjects of Her Majesty), for the murder of that individual.

I have also offered a reward of 100 dollars, to any person or persons who shall adduce evidence leading to the conviction of any other person or persons, (being subjects of Her Majesty,) as instigators of, or ringleaders in, the riot of the 7th instant.

I have also advanced on my private account and risk, a sum of 1,500 dollars, to the family of the deceased, as some compensation for the heavy loss they have sustained; a further sum of 400 dollars, to protect them against the extortion of this money by the lower mandarins in the neighbourhood; and 100 dollars, to be distributed amongst the suffering villagers, (some of them aged men and women), with the hope to soothe the irritation which the late event was calculated to create.

I have no doubt you will agree with me that expenses of this nature incurred on account of the grave misconduct of English seamen, should devolve upon the English ships to which the people belonged, who had been so improperly permitted to go on shore; and so far as I have yet ascertained, the *Carnatic* and *Mangalore* are the only English ships in that situation. If it should become known to me, however, that the seamen of any other English ships were on shore, and engaged in this riot, I will of course transmit a copy of this letter to the Agents for them.

Perhaps I should explain, that I have carefully particularized English ships, because I believe there is no doubt that the seamen of other foreign ships were concerned in this dismal transaction. But I have necessarily neither the right nor the least disposition to accept from foreigners, any share of the expenses I have incurred on this occasion; and, indeed, if you do not feel warranted in making the payment on account of the English ships, I must sustain the loss.

It should be added, that the relatives of the deceased have forwarded me a paper, declaring that they ascribe his death to accident, and not wilfulness. But I am afraid that this representation is made wholly with the purpose to protect them from punishment, for receiving money from foreigners; and I certainly do not intend to relinquish the pursuit of the strictest further investigation on such a ground as that.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 155.

Captain Elliot to Viscount Palmerston.—(*Received January* 9, 1840.

Ship Fort William, *Hong Kong*,
My Lord, *August* 27, 1839.

A VESSEL sailing to Manilla and Singapore in the course of two hours, affords me but brief space to report to your Lordship the most critical situation of all Her Majesty's subjects in this country.

The High Commissioner, obviously pressed by counter reports from the discontented Mandarins of this province, and by very sinister communications from the Court respecting his own proceedings, has availed himself of the homicide reported in my despatch of the 18th July, as a pretext for attributing the interruption of British intercourse to that cause, and not to his own violent measures.

I proceeded, my Lord, to the very utmost verge of my powers (and probably exceeded them), with the hope to afford the Government all reasonable satisfaction, by setting in action the criminal jurisdiction, and placing six men on their trial on board this ship, on the 12th and 13th of August last.

The Mandarins were invited to attend, but did not think fit to do so. It is wholly impossible to transmit the voluminous Papers connected with the cases by this occasion; but I may state generally, for the information of Her Majesty's Government, that a Bill of indictment for murder against "Thomas Tidder, boatswain of the *Mangalore*," was ignored by the grand jury, and that five men were found guilty upon an indictment for riot and assault; two for the riot only were sentenced to three months confinement upon hard labour, in any of Her Majesty's gaols or houses of correction in England, with a penalty of 15 *l.* each to Her Majesty, and three for riot and assault, to six months of the like imprisonment, and a penalty of 25 *l.* each to Her Majesty.

These proceedings did not satisfy the Commisioner. He moved down to Heang-Shan, a place forty miles from Macao, with about 2,000 troops; insisted upon the delivery of a man, and upon the entrance within the river of all the British shipping (the real purpose in hand) and took away the servants from, and stopped the supplies of food to, the British subjects. At first, these measures were confined to the British; but it soon appeared, that the Portuguese inhabitants of Macao were threatened with a stoppage of their own supplies, if they continued to assist us. In this emergency, and after communication with the Governor (whose dispositions, indeed, are excellent, but whose means are nothing), I felt that I ought no longer to compromise the safety of the settlement by remaining there.

It was hoped by his Excellency, as well as myself and the general body of the merchants, that my own departure with the officers of the establishment might lead to relaxation, and with that feeling I came over here on the 24th instant, Mrs. Elliot and her child having previously embarked. A committee of management for the arrangement of the embarkation of Her Majesty's subjects, however (should such a step become necessary), was previously appointed at my suggestion, and I left a sufficient number of armed vessels and boats to bring them over to Hong Kong. By private letters from Mr. Astell, the chairman of the Committee, and Mr. James Matheson, this moment received, your Lordship will perceive, that events have hastened onwards with great rapidity, and that the Governor has declared his inability to afford Her Majesty's subjects further protection. I am looking with extreme anxiety for their arrival, and, in the meanwhile, I am placing this fleet in the best attitude of defence of which circumstances admit.

The absence of men-of-war will necessarily be a source of deep anxiety to Her Majesty's Government; but happen what may, I take this occasion to

express my conviction that the Commander-in-Chief has used his best exertions to prevent such a state of things. But it is indeed greatly to be lamented that Commander Blake did not remain till he were relieved.

Your Lordship, however, may be assured that I will do every thing in my power to prevent the calamity and intolerable disgrace of a surprise of this valuable fleet of near fifty sail of British ships by mandarin junks or fire-rafts; and for this purpose, I have this day assumed the military as well as civil superintendence of the ships, and issued the necessary directions for their defence. In this moment of difficulty, I may be permitted to congratulate Her Majesty's Government that I have strictly adhered to the determination of keeping the British shipping outside of the Bocca Tigris. English ships or men, my Lord, can never again be safe within those limits till our whole intercourse with this empire be placed upon an entirely different footing.

I should inform your Lordship that since the walls of Macao have been covered with false and insulting proclamations respecting myself, and the servants and supplies taken away, I have refused to receive any official papers from the Government. By this means, I have been enabled to reject any direct application to myself for the delivery of the man.

Your Lordship will collect from the private letters I transmit, as much as I yet know concerning the catastrophe which has befallen the passage-boat, *Black Joke;* but I feel assured there is no ground whatever for the surmise that the circumstance arises from an order of the higher officers. I have already communicated with the Mandarins in this neighbourhood upon the subject, and a messenger from them is actually on board to make inquires concerning it. I am satisfied not only that it is a business of the well-known Ladrones or pirates; but I am also convinced that no circumstance is more likely to alarm the authorities. They have an extreme dread of exciting such lawless proceedings on their coasts, which your Lordship will permit me to remind you, were for several months, about thirty years since, in the complete possession of a most formidable organization of pirates.

I write by this occasion to his Excellency the Captain General of the Philippines, as also to the Governor of Singapore, for supplies of provisions and such military stores as may enable me to put these ships in an efficient state of defence.

The cutter *Louisa* left me the day before yesterday to proceed to the eastward to purchase supplies for the fleet.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

P.S. Unable to transmit to your Lordship the official papers connected with the late trial, I take the liberty to forward by this occasion, newspapers containing the rules of practice and proceeding, and report of the trial itself.

CHARLES ELLIOT.

Hong Kong, September, 1839.

THE ship which carried this despatch has been driven back by stress of weather, a circumstance that enables me to report the arrival of Her Majesty's ship *Volage,* and of all Her Majesty's subjects from Macao. The additional inclosures will inform your Lordship that their embarkation had been pressed upon them by the Governor of Macao. The almost helpless condition of the place is no doubt his Excellency's excuse, and I repeat my conviction, that his dispositions are sincerely honourable.

I also transmit to your Lordship copies of the several communications I have made to this Government concerning the homicide at this place, and I may take this occasion briefly to declare my conviction that seamen of the American shipping were to all intents and purposes as deeply

deeply engaged in the riot of 7th July as our own; and I may add (so far as the evidence before me goes), in the melancholy and unfortunate event which arose out of it. If it be true, that their Consul has disavowed any connection of American citizens with these affairs, he has hazarded an assertion at variance with the state of the facts.

CHARLES ELLIOT.

Inclosure 1 in No. 155.

Mr. Astell to Captain Elliot

My dear Elliot, *Macao, Midnight, August* 25, 1839.

A CRISIS is at hand, and to-morrow we all push off from the shores of Macao: as soon as we are afloat I shall propose that the whole fleet, ships and boats of all sorts, every British flag, set sail in company for Hong Kong. I have reason to think that this step will be approved. I have not time to write you particulars. I scarcely know which way to turn. Ever since you left, I have been assailed on all sides with questions, &c., and visits to the Governor. The atrocious murder aggravates our case. I have had two or three confidential interviews with the Governor, and he evidently is in great alarm. He is to attend himself with the troops at the embarkation to-morrow. I believe *all* British subjects, except the sick in the Hospital, will embark. The Governor will take the inmates of our hospital into that of the Portuguese and protect them. I send this by the *Ann*. I tried all the afternoon to get a China boat to send you express; but none would go. I wished to warn you against coming over in any of the small craft. The Chop to the Governor which his Excellency showed me privately this morning, is the same as that to the Procurator, of which I have a copy, but do not send it as Matheson will give you his. At six this evening, I again saw the Governor, who had that moment received another much stronger, with the threat expressed of surrounding the English houses. He told me he answered it hastily and verbally, to the effect, that every European must be slain ere such should take place. He is walking about the quay, and all the citizens are around in case of an attack. I have been applied to to make a representation concerning the murder to the Chinese, but I repeat that such does not form part of my business. The depositions which we have taken will give you particulars. I shall be in the *Pearl* or *Psyche*. More when we meet.

Ever yours, in haste, &c.

(Signed) J. H. A.

Inclosure 2 in No. 155.

Mr. Matheson to Captain Elliot.

My dear Captain Elliot, Maria, *Typa, Sunday, August* 25, 1839.

WE have persuaded the Commander of the *Ann* to proceed to Hong-Kong before sailing, in case you may have further despatches to write. Her destination is Manilla and Singapore; but circumstances may occasion the voyages terminating at Manilla.

Mr. A. Jardine will tell you of a second chop this afternoon from the Mandarins, in consequence of which the Portuguese Governor has declared, he cannot answer for the safety of British subjects after noon to-morrow, at which hour all are to embark in a body, in the Governor's presence, with the troops under arms. There is even a threat of an attempt to surround British houses to-night; but the Governor has declared his determination to resist this; and it is not likely that, if really intended, they would have given notice of it. I think, however, none of our countrymen at Macao will venture to go to sleep to-night.

Mr. Jardine will tell you of the fearful murder of the crew of the *Black Joke*, off Lantao point, last night, excepting only the Serang, who sprang overboard, and clung to the rudder. Mr. Mark Moss, the only passenger, was barbarously wounded, one of his ears cut off, and left for dead. After which they attempted setting fire to the vessel, but were interrupted by the *Harriet* coming up, which took the *Black Joke* in tow. The attacker consisted of seven Chinese rowing-boats, manned and armed like Mandarins; but, I think (contrary to the general opinion) they must have been pirates, trusting to the present confusion for impunity. They carried off some property, consisting of Mr. Just's watches, but left some dollars, strange to say. Mr. Moss was flying from the process of the Macao Court, on an action of debt on Mr. Gouldborough's account. He is alive and likely to survive, unless lock-jaw supervenes. We have ordered provisions, &c., for ourselves. Have you any orders to give on account of the community.

Yours, &c.,
(Signed) JAMES MATHESON.

Inclosure 3 in No. 155.

Messrs. Astell, Braine & others, to Captain Elliot.

Sir, *Macao, August* 25, 1839.

We have the honour to forward to you herewith copies of depositions taken this day, regarding a distressing outrage committed last night by the Chinese on the crew of the schooner *Black Joke*, when at anchor off Lantao.

The Committee waited on the Governor this morning, in consequence of this business, and also with reference to a chop from the Commissioner to the Portuguese Government (which was demi-officially notified to their Chairman) directing them immediately to send away the English residents.

The Governor did not feel himself at liberty to communicate the contents of this chop to the Committee; but a confidential interview with their Chairman, coupled with the purposes of certain other chops, just now issued (and an abstract of which we have procured from Mr. Gutzlaff, and forwarded herein) and also bearing in mind the affair of the schooner *Black Joke*, which there is apparently some reason to fear was made under the directions of the Mandarins, have induced the Committee to recommend the immediate embarkation of the British community.

We send also herewith a copy of our circular, suggesting the adoption of that measure.

We trust the embarkation will be allowed to take place without obstruction, in the course of to-morrow.

We are sorry to add, that we have received information that the schooner *Jane* was last night chased by the Mandarins, also in the neighbourhood of Lantao.

The Governor has declined furnishing us with a copy of the chop to himself, or communicating it officially to us as a Committee, and he states himself unable to say what time will be allowed by the Chinese authorities for the departure of the English residents.

It is said, on good authority, that several thousand troops are collected in this neighbourhood; and we hear that the Chinese are removing themselves and their property in large numbers from Macao.

We have, &c.,
(Signed) J. H. Astell.
George Braine.
William Bell.
Gilbert Smith.
Dinshaw Furdonjee.

Inclosure 4 in No. 155.

Deposition of Hassan Tindal, of the Black Joke, *before the Committee of Management at Macao, August* 25, 1839.

LEFT Macao in the *Black Joke*, at 6 A.M. on the 24th August; seven Lascars, himself, and Mr. Moss, in the vessel. Anchored at 6 P.M. under the south end of Lantao, at the entrance, tide being against them; two men on the look-out; about 10 o'clock, the alarm was given of boats approaching, five or six pulling boats filled with men. They immediately ranged alongside, and commenced to massacre the crew. Hassan jumped overboard, and remained about half an hour in the water, holding on by the rudder. They took away the personal baggage and stores which were carried on board the vessel the night before, and several boxes, but not all. The boats were alongside about half an hour; when Hassan got on board, he found Mr. Moss alone, who told him that the crew were murdered, and perceived attempts had been made to set fire to the vessel by means of tar ropes and gunpowder. Shortly after a vessel hove in sight, and took the vessel in tow, and brought her to the Typa this morning.

A mandarin cap and knife was found on board the vessel.

Inclosure 5 in No. 155.

Deposition of Mr. Mark Moss.

THUS saith Mark Moss, a British subject, born in London, before Van Basel, Dutch Consul; Paiva, late Procurador at Macao; Kerr and Leslie, British merchants; at Macao, this 25th day of August, 1839.

I left Macao on board the *Black Joke*, on Friday night last, the 23rd instant, to proceed to Hong Kong; having got as far as the point of Lantao, anchored there yesterday evening at five; supped and went to lay down. About nine o'clock, I heard the crew, which consisted of Lascars, eight in number, crying out "Wylo, Wylo;" ran to the sky-light, and saw three guns fired at us, wadded with charcoal, when I reached the deck I saw three Lascars cut down, and got a cut on the left side of the face, on which I went below, when I heard the Chinese cry out "Ta, Ta," and on putting my head out of the stern companion, got a most severe wound on the top of the head. The Chinese then laid hold of me, and stripped me of my clothes, and cut my arm in three places, as I put it up to save my head; they then proceeded to plunder and break up the boat; and coming down with lights into the cabin, one of them seeing I had a ring on my finger, attempted to cut the finger off, but I took the ring off and gave it to him, and another seeing my watch took it out of my pocket, and laying hold of my ear, called to a man who came with a sharp instrument and cut it off, along with a large portion of the skin on the left side of my head, as you now see, and put it in my mouth, attempting to push it down my throat. I was then knocked about on all sides by the Chinamen, and saw them bring a barrel of gunpowder, with which they attempted to blow up the boat, but did not succeed. I was rendered senseless from the smoke caused by the explosion, and was nearly suffocated; when, making a last effort, reached the deck and found no one there; I called out the names of some of the Lascars, and seeing a rope moving a-stern, found that the Tindal alone of the whole native crew had saved himself, by hanging on to the rudder under water; he came up and gave me some water, of which I drank five basons full, and felt refreshed; a short time after this, the *Harriet*, Captain Hall, came up, and I suppose the Chinese, from their leaving the boat so suddenly, had seen this vessel.

From Captain Hall I met with the kindest treatment, he took me on board, dressed my wounds, and taking charge of my boat, brought me to Macao this morning about five o'clock.

(Signed) PAIVA, C^{a} K.
W. L., S. V. B.

Inclosure 6 in No. 155.

Official Communication from the Mandarins of Casa Branca, and the Tsotang, requiring the departure of the English from Macao.

CHIAM, Mandarin of Casa Branca, and Pong, the Tsotang, hereby make known to the Procurador, that having replied to his official, in which he requested they would solicit their Excellencies (the Imperial Commissioner and the Canton authorities) to issue Proclamations, calling on the Chinese merchants to purchase the goods imported by the Portuguese, in order to extricate them from their present embarrassments, &c.; and having stated in said reply, that in the actual state of affairs in regard to the English, it was not advisable to transmit his (the Procurador's) official to the superior authorities, they now remind him, that by orders of their Excellencies they are required to drive all the English from Macao, and not allow one of them to remain; on which account, they have imposed severe restrictions, depriving them of every assistance, and have stationed troops at Casa Branca, and at the Bar Fort, in order to seize and punish any of the foreigners [the English] who may loiter about here. And as they have had information that within the last few days several of the English have left, but that there are a few still remaining, watching what is going on, which is in direct contravention of the prohibitory orders; they, the Mandarins, have stationed soldiers and police-runners in different parts to seize them secretly; and, besides communicating with the Governor of Macao, they now order the Procurador to show immediate obedience hereto, and expel all the English; and to request the Governor, to order all the Portuguese who have rented their houses to the English, to oblige them to quit; and when once they have left Macao, not to allow them to come on shore again. After the English shall have left, they, the Mandarins, will immediately petition their Excellencies, interceding on behalf of the Portuguese, that the merchants may be able to dispose of their goods, so that all may be contented, and to be allowed to export largely, which will certainly yield immense profits.

So soon as the English be brought to repentance, and deliver up the murderer; and when their merchant ships shall have gone up to Whampoa, and the store-ships and the foreigners [the sixteen prescribed] shall have returned to their country, their Excellencies will certainly grant them the especial favour of continuing their trade as formerly; and you, the Portuguese, when you receive permission to trade with the English, you can then rent them your houses as heretofore.

Take care that you do not meet with a severe loss on all your goods in Macao, in consequence of your cupidity, for the insignificant rent of your houses. Avoid it therefore.

16th of the 7th moon (24th August 1839.)

Inclosure 7 in No. 155.

Certificate of three Surgeons, on the several wounds inflicted on the person of Mr. Moss.

Macao, August 25, 1839.

THIS is to certify that we have carefully examined Mr. Mark Moss, who reports that he was attacked last night, by some persons who boarded his boat and inflicted several severe wounds on his person.

We saw him this morning at eight o'clock, and found that he had received the following injuries:—

On the Head.—A deep wound over the left eyebrow, and extending across the arch of the nose, the bones of which have been completely divided. An oblique wound on the forehead, about two inches long; the left ear, with a portion of the scalp, has been cut away, leaving a large open wound. There are also two smaller wounds on the head.

On the left arm fore-arm, and hand.—At the lower part of the arm, there is

is a deep wound extending across the limb, and dividing the external condyle of the humerus. In the middle of the fore-arm, an extensive deep wound; the fascia has been torn, and the muscles much lacerated. At the lower part of the fore-arm, near the wrist, another deep wound, down to the ulna, which bone has been divided. On the hand, a deep wound at the back of the thumb, almost separating this member from the hand.

Besides the above, there are also several wounds on the body and limbs which are of little consequence. From the severe injuries now described, we consider the man to be in a dangerous condition.

(Signed) RICHARD HENRY COX,
Surgeon.
WILLIAM LOCKHART,
Surgeon.

Certificate of Mr. Anderson, Surgeon.

September 1, 1839.

I DO hereby certify that I have this day examined Mr. Mark Moss, and that the statement contained in the accompanying certificate of Drs. Cox and Lockhart, of the wounds he has received, as correct. And from the present appearance of the wounds, considerable advance has already been made towards recovery, and that, to the best of my judgment, little danger is to be apprehended from his present state.

(Signed) ALEXANDER ANDERSON,
Acting Surgeon to Her Britannic Majesty's Superintendents.

Inclosure 8 in No. 155.

Abstracts of Three Edicts posted upon the walls of Macao.

First Edict. *August* 25, 1839.

THE gracious will of His Imperial Majesty having been declared in favour of all the violent measures suggested by the memorialist Hwang Tscotsze, it is, therefore, hereby proclaimed by the Imperial Commissioner and the Governor.

1. That any foreign vessel, wherein, through error, opium shall be brought to this place, within the period of eighteen months, from the date of this Edict, shall be permitted, on the surrender of the same, to proceed to Whampoa, and dispose of her other cargo.

2. That every foreigner (no especial mention made of the English) who shall endeavour to introduce opium into the empire, on discovery being made, shall, if he be the principal, be immediately decapitated; if only an abettor, shall be instantly sentenced to strangulation.

3. That every vessel is allowed to proceed immediately up to Whampoa in order to discharge her cargo.

4. That such vessels as are not proceeding to Whampoa must return forthwith to their country, lest ulterior measures be adopted against them. In this, also, no especial mention is made of the English.

5. That if the murderer of the Chinese, Lin Weihee, be immediately delivered up, well and good; but if not, all the foreigners shall be involved in the offence.

Second Edict.

This Edict, issued by the local authorities, threatens with fearful punishment, all boatmen that shall dare to furnish supplies to the outside shipping; and intimates to all who may venture to transgress, the certainty of being caught by some of the numerous cruizers.

Third Edict.

There is a third paper, which is intended to soothe the populace, and to

give the people the assurance, that whatever may be the measure of the Government, the place shall be amply supplied with rice, and no difficulties shall be thrown in the way of its importation at the usual rates. This is already the third Edict of this kind. Some unpleasant encounters have just now taken place between the dealers in rice and the mob, and the local mandarins, therefore, fear the worst consequences. Still, however, the soldiers at the various stations leading to Macao, prevent boats loaded with provisions from proceeding to their destination.

The emigration of the most influential and respectable people continues, and there are, at the present moment, again hundreds preparing to leave Macao.

A number of soldiers are stationed on the Lappa, where they daily exercise themselves in the art of shooting.

(Signed) CHARLES GUTZLAFF.

Inclosure 9 in No. 155.

Captain Elliot to the Officers deputed by the Imperial Commissioner.

Macao, July 13, 1839.

ELLIOT, learning that the Honourable officers have arrived here to make inquiries concerning the death of a native at Hong Kong, on the 7th instant, writes these particulars.

As soon as it was reported to Elliot, that disorder had taken place at Hong Kong, and that a native of the land had lost his life, either by accident or deliberate intention, he proceeded immediately to Hong Kong, where he arrived on the morning of the 10th instant.

Upon inquiry, it appeared that several seamen of the ships, American as well as English, had been permitted to go ashore, as it was said, for the purpose of bathing and taking exercise on the beach. Concerning any English people, who might have been engaged in the disorder, Elliot immediately took measures according to the customs of his country. He issued a notice among the English shipping, offering a reward of 200 *l.* to any person who would discover the man by whom the native of the land might have been killed, whether accidently or not, and a reward of 100 *l.* to any person who would discover the leaders in the riot which had taken place.

The investigations are still proceeding, neither shall they be lightly pursued; and most assuredly, if it shall be brought to light that this unhappy man lost his life by an act of a British subject, and the offender be discovered, he shall immediately be placed on his trial, according to the laws of his country.

The Government of the English nation would hold Elliot deeply guilty, if he failed to prosecute this affair with the utmost severity.

Elliot should further make known to the Honourable officers, that the family of the deceased do not ascribe the death of this individual to wilfulness, but to accident. Be it accident or wilfulness, however, he is no longer here to take care of them, and therefore Elliot has considered that it became him to provide for their support.

This is just.

(Signed) CHARLES ELLIOT.

Inclosure 10 in No. 155.

Captain Elliot to the Officers deputed by the Imperial Commissioner.

Macao, July 21, 1839.

FOR the ends of justice and in the performance of his duty to his own gracious Sovereign, Elliot must assuredly continue to use his sincerest efforts to discover whether the perperators of any crime, declared to be committed within this jurisdiction, are British subjects; and if it shall appear upon faithful investigation that such is the case, the offenders will be placed upon their trial according to the laws of their country.

But the present conduct of the Honourable Officers is as inexplicable, as their past proceedings are unjust and dangerous. At one moment they issue Public Notices, encouraging the merchants and seamen of the English nation to disregard the lawful orders of their officer. At the next they approach him with requisitions to settle important affairs. When the ships of his nation went to Hong Kong, Elliot strictly commanded the people of his nation always to treat the Honourable Officers of this empire with respect, and to prevent the sailors from occasioning disorder. Immediately afterwards, follows the Proclamation of the Houourable Officers, inciting the people of the English nation to disregard Elliot's injunctions. But if they were to be disregarded in one sense, how was it to be expected they would be observed in another? Would it be possible to maintain order and tranquillity, if Elliot and the other foreign Officers were to incite the natives of the land to give no heed to the commands of their own authorities, and assure the people of assistance, if they thought fit break the laws of the empire? Truly these proceedings of the Honourable Officers have been highly inconsistent with the principles of peace and reason, and Elliot considers that these and all other disorders are chiefly attributable to them.

Elliot will receive no papers from the Honourable Officrs till he is satisfied that there shall be no repetition of these inflammatory practices, and till the higher officers think fit to receive his own sealed addresses agreeably to custom.

(Signed) CHARLES ELLIOT.

Inclosure 11 in No. 155.

Captain Elliot to the Keun-Min-Foo.

Macao, August 3, 1839.

ELLIOT, &c., &c., begs to acquaint the Keun-Min-Foo, for the information of the higher officers at the Provincial City, that on Monday, the 12th day of the month, certain English seamen will be tried before him, according to the laws of the English nation, on board a British ship, at the anchorage at Hong-Kong, for participation in the riot, in which a native of the land, named Lin Wie hee, is declared to have lost his life, to the end that justice may be done upon those who are proved to be guilty, and that the innocent may be allowed to go free.

And if the higher officers shall be pleased to command any of the Honorable Officers to be present at the trial, Elliot will take care that they are received with the respect due to their rank.

(Signed) CHARLES ELLIOT.

Inclosure 12 in No. 155.

Captain Elliot to the Keun-Min-Foo.

Macao, August 16, 1839.

ELLIOT has the honour to acquaint the Keun-Min-Foo, for the information of the high officers, that he has strictly investigated according to the forms

of law of his country concerning the death of a native of the land, at Hong Kong, on the 7th July last. Not to the end that any man should be delivered up, for, by the plain orders of his gracious Sovereign, that is impossible, but that justice may be done upon the guilty, even to the taking of life, if there be a conviction of murder.

He now solemnly declares that he has not been able to discover the perpetrators of this deed.

(Signed) CHARLES ELLIOT.

Inclosure 13 in No. 155.

Captain Elliot to the Keun-Min-Foo.

Macao, August 21, 1839.

ELLIOT has to demand, in the name of the Sovereign of his nation, that proclamations should be forthwith issued, permitting the native servants, in the employment of the English at Macao, to return to their occupations and furnish the supplies. And Elliot has further to give notice that, as at Hong Kong, there are several thousands of seamen menaced with the privation of supplies of food. He cannot be responsible for the preservation of the peace, if the present condition of disquietude subsists.

According to the genius of the English nation, they will be considered by his Government to be measures of insult and violence of the worst character. And the responsibility rests upon the Commissioner.

The Great Emperor will not sanction proceedings of undistinguishing violence, arising entirely from a violation of his gracious will, that all things should be adjusted agreeably to the principles of justice and reason.

(Signed) CHARLES ELLIOT.

No. 156.

Captain Elliot to Viscount Palmerston.—(*Received February* 1, 1840.)

Ship Fort William,
Hong Kong, September 3, 1839.

My Lord,

THE arrival of Her Majesty's ship *Volage*, with despatches from the Commander-in-Chief, authorizing me to offer the Governor of Macao any assistance he may require under the painful and extremely unsuitable condition of all Her Majesty's resident subjects and their families on board this fleet, has induced me to address the accompanying note to his Excellency.

Under present circumstances, Macao may at once be made sufficiently safe for their protection, and with the shipping at our command, there could be no difficulty in procuring supplies from Manila.

With the present pretensions of the Commissioner, there can be no conducting such a trade as our own at Canton with honour or advantage.

Hong Kong, September 7, 1839.

The Inclosure No. 3, is His Excellency's reply to mine; yesterday received. Your Lordship will perceive that it amounts to an acknowledgment of his inability to protect us. Such being the case, my Lord, I am afraid the time is approaching when this fleet, and the resident community in China, must depart to Manila, and await there the final adjustment of all these excessive difficulties.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 156.

Captain Elliot to the Portuguese Governor of Macao.

Ship Fort William,
Hong Kong, September 1, 1839.

THE Undersigned, &c. &c. &c, has the honour to acquaint your Excellency that he has received Despatches from the Rear-Admiral Commanding-in-Chief, dated on the 8th July last, by which he learns that the Captain of Her Majesty's ship *Volage*, is instructed to co-operate most cordially and energetically with his Excellency the Governor of Macao, in the defence of the place, and in repelling any aggression that may attempted, and to consider the lives and liberty of Her Most Faithful Majesty's subjects equally under his protection with those of Her Majesty.

If, therefore, your Excellancy shall desire aid of any kind for the above purposes from Her Majesty's officers or subjects, at this anchorage, it shall immediately be afforded.

Under the circumstance of the arrival of Her Majesty's ship, with such orders, the Undersigned cannot but feel that your Excellency will anxiously desire to see British subjects once more under the protection of Her Most Faithful Majesty's flag, at Macao, if possible; the more so on account of the insulting address to the Portuguese Authorities, praising and thanking them for assisting in driving forth the British people.

This infamous calumny will have been a source of deep chagrin to your Excellency; but the Undersigned hopes he need not say that he has assured his own Government it is utterly void of foundation.

The Undersigned, for his own part, did not require your Excellency's repeated and honourable declarations that the same protection should be afforded to British as Portuguese subjects, and his own reason for retiring, was indisposition to compromise the settlement whilst there was no force at hand to repel the aggression.

That is no longer the case; and the Undersigned has now to propose to your Excellency the return of Her Majesty's subjects to Macao, and the utmost aid in his power for the resistance of any aggression upon the honour and rights of Her Most Faithful Majesty, which may ensue from the protection of the subjects of her most ancient and intimate ally. He has communicated this note to his comrade the Captain of Her Majesty's ship, and is requested by that officer to state his entire concurrence in these sentiments, and to offer your Excellency his heartiest assistance. The vessel which conveys this Despatch will wait for your Excellency's answer, and a force of 800 or 1,000 men can be placed at your Excellency's disposal at once.

The Undersigned takes this occasion to renew to your Excellency the sentiments of his highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure No. 2 in 156.

The Keun-Min-Foo to the Portuguese Governor of Macao, prohibiting Portuguese Lorchas from approaching the Ships at Hong Kong.

TSEANG, Acting Keun-Min-Foo, issues these to the Portuguese foreign Chief (Procurador of Maco), for his full information.

I have received an edict from their Excellencies Tang, the Governor, and Lin, the Imperial Commissioner, of the following tenor :—

" The Admiral has just reported to us that Lai ,commander of the squadron of Tapang, informed him that on the 14th instant two Portuguese lorchas, one belonging to Kachashipu and the other to Francisco, came and anchored at Hong-kong, near the English ships. This coming before us, we find that the orders, that at the present time we have issued, are of the strictest and most comprehensive nature, in regard to cutting off the supply of all kinds of provisions to the English, both in Macao and on board their ships. After the compradores were taken away from the English residing in Macao, the said Procurador showed himself obedient to the orders issued to him, and aided, as far as he was able, in hastening the departure of those perverse English who were to be expelled from China; their departure,—so precipitate and confused,—proves that the said Procurador knows the importance of his duty: and his respectful obedience is worthy of praise. It appears, however, that several of the English, after their departure from Macao, have gone to live on board the ships at Hong Kong, which makes it necessary to cut off the supply of all provisions and necessaries of life from them also. The Chinese, having been apprehended and punished, are smitten with fear, and have withdrawn their boats. How is it, then, that the Portuguese still go to those places, and anchor their lorchas near the English ships? If on this occasion we had assembled our war-vessels, and these lorchas had been captured, would not they, the good, have thus become involved in the punishment of the evil?" (Literatim,—" Would not the precious stones have been confounded with the common pebbles? "

" It is necessary, therefore, that we should again issue our commands."

Immediately on receipt of this, let the said Procurador command the said lorchas forthwith to return, and if there be any besides these which go to that anchorage let them also return. Let them not go there secretly to supply provisions to the foreigners on pain of severe punishment. Besides this, let me be informed as to the passes you have granted, that I may report the same.

The assistance just now afforded, by the Governor and Procurador, in expelling the English from Macao, shows that they know the importance of their duties: and their respectful obedience merits commendation. The extraordinary praises just conferred on you by their Excellencies must be a source of inestimable honour and glory to you. The Procurador and the others ought, therefore, to obey the prohibitory orders, and to enforce them to the utmost of their power when public affairs call for them. They ought to be thankful for the benefits their Excellencies have always showered upon them. This is my ardent hope. Be urgent! Be urgent!

17th day of the 7th moon of the 19th year of Taoukwang.—(25th August.)

(True translation from the Portuguese.)

(Signed) S. Fearon.

Inclosure 3 in No. 156.

The Portuguese Governor of Macao to Captain Elliot.

Macoa, 3 de Sebro. de 1839.

O ABAIXO Assignado Governador de Macao e suas dependencias tem a hònra de accuzar a recepçao da notta que lhe deregio o Illo. Sr. Charles Elliot, Superintendente do Commercio Britanico na China dotada da Bahia de Hong-kong em o 1°. de Settembro, e emrespo sta a mesma a de repetir-lhe o que por mais de huma viz. officialmente lhe tem dito desde que o Alto Commissario enviado expressamente pelo Imperador da China para a supressão do prohibido commercio de Opio chegou a Cantão. Evem a ser que sem receber ordens expressas e terminantes do sen Governo, elle não pode deixar de Conservar a mais stricta neutralidade entre as duas Naçoens a Ingleza com quem há tantos tempos a sua se acha tão intimamente alliada, e a Chineza pelos motivos bem cotuncidos de todos.

O Abaixo Assignado com tudo não despreza esta occazião que S. Sa. lhe offerece para novamente significar-lhe em nome de sen Governo os mais extensos e bem merecidos agradecimentos pela franca e generoza cooperaçõo que lhe proporciona, e de que não se pode aproveitar pelas razõens acima ditas.

Os subditos Britanicos retirarão se espontancamente de Macaó com o fini de não comprometterem o Estabelleçimento, e com este passo collocarão-se por si mesmo em a necessidade de não voltarem a elle em quanto não se acharem aplanadas todas as difficuldades que ainda existem, e que o Abaixo Assignado conta ver satisfatoriamente terminadas para todas aspartes, não lhe sendo permittido alterar alguma coiza, para manter a neutralidade a que acima allude em quanto não receber ordens expressas do sen Governo a tal respeito.

As Chapas dos Mandarins de que S. Sa. com razão se queixa, forão respondidas ao Alto Commissàrio de hum modo terminante e positivo, fazendo-lhe ver que as Subditos Britanicos se retirarão espontaneamente, e deste modo julgou o Abaixo Assignado ter igualmente satisfeito aos Subditos Britanicos, e a dignidade do Governo Portuguez.

S. Sa. e todos os Subditos Britanicos conhecerão o vivo sentimento comque o Abaixo Assignado os vio partir, e todos Souberão que a proteçcão possivel lhe seria dada em as circunstancias em que aqui se acharão de que S. Sa. tambem se convencio; e parece ao Abaixo Assignado ter satisfatoriamente respondido a sua ja citada notta não lhe restando senão renovar as expressoens de sua mais alta estima e consideração.

O Governador,

(Assignado) ADRIAO ACCACIO DA SILV^A^. PINTO.

(Translation.)

Macao, September 3, 1839.

THE Undersigned, Governor of Macao and its dependencies, has the honour to acknowledge the receipt of the note addressed to him by the most illustrious Mr. Charles Elliot, Superintendent of British Commerce in China, dated in the Bay of Hong Kong, the 1st of September; and in reply thereto, he has to repeat what he has already officially declared more than once since the arrival at Canton of the High Commissioner sent by the Emperor of China expressly for the suppression of the prohibited trade in Opium. And it is this, that without receiving from his Government express and definitive orders, he cannot cease to preserve the most strict neutrality between the two nations, the English, with which his own has been so long and so intimately allied, and the Chinese, from motives well known to all.

The Undersigned cannot at the same time let slip this occasion afforded by the Superintendent to express anew, in the name of his Government, his very great and well-merited thanks for the frank and generous co-operation which has been offered, but of which he is not able to avail himself for the reasons above stated.

The British subjects retired of their own accord from Macao, with a view of not compromising this establishment, and by this step have placed themselves under the necessity of not landing here so long as all the difficulties now existing shall continue unsettled; which difficulties the Undersigned hopes to see terminated satisfactorily for all parties, it not being allowable for him to vary in anything from the maintenance of the neutrality above stated, until he shall receive express orders from his Government in that respect.

The "chops" of the Mandarins, of which with reason the Superintendent complains, have been answered to the High Commissioner in a manner definite and positive, making him perceive that the British subjects retired of their own accord, and in this the Undersigned judges that the British subjects and the dignity of the Portuguese Government will be equally satisfied.

The Superintendent and all the British subjects were aware of the lively feelings with which the Undersigned saw them depart, and all knew that what protection was possible in the circumstances in which we are here placed was given, and of this the Superintendent was convinced; and it appears to the Undersigned that the note already cited is thus satisfactorily answered, it only remaining for him to renew the expression of his highest esteem and consideration.

The Governor,

(Signed) ADRIAO ACCACIO DA SILA. PINTO.

No. 157.

Captain Elliot to Viscount Palmerston.—(*Received February* 1, 1840.)

Ship Fort William,

My Lord, *Hong Kong September* 5, 1839.

I YESTERDAY proceeded to Kow Lune, in the cutter *Louisa*, distant about four miles from this anchorage, where there were three large men-of-war junks, whose presence, I collected from the natives about us, prevented the regular supplies of food. I was accompanied by the *Pearl*, a small armed-vessel, and Captain Smith of the *Volage* was so good as to lend me the pinnace of his ship, and to go with me himself. But I can assure your Lordship, that though I am responsible for causing the first shot to be fired, I did not anticipate any conflict when we left, and went accompanied solely for purposes of sufficient defence against insult or attack.

The violent and vexatious measures heaped upon Her Majesty's officer and subjects will, I trust, serve to excuse those feelings of irritation which have betrayed me into a measure that I am sensible, under less trying circumstances, would be difficult indeed of vindication. But I proceed to state the circumstances as they took place, leaving their most favourable construction to your Lordship's unvarying kindness, and to that consideration for my harassing situation which I am sure will be extended to me by Her Majesty's Government.

Upon our arrival at the station of the junks, which I found anchored in a line a-head and close order, under rather a formidable and well-manned battery, I brought up abreast of them at about pistol-shot distance, and despatched Mr. Gutzlaff in a small boat with two men (perfectly unarmed) to the centre junk, taking her from her size and superior equipment to be the vessel of the commanding mandarin.

He carried in his hand the papers marked No. 1 and No. 2, and the paper marked No. 3 are his notes of what took place.

After five or six hours of delay and irritating evasion, I sent a boat on shore to a distant part of the bay with money to purchase supplies, which the people succeeded in doing, and were on the point of bringing away, when some mandarin runners approached, and obliged the natives to take back their provisions.

They returned to me with this intelligence, and greatly provoked, I opened fire from the pinnace, the cutter, and the other vessel, upon the three junks. It was answered both from them and the battery, with a spirit not at all unexpected by me, for I have already had experience that the Chinese are much under-rated in that respect. After a fire of almost half-an-hour against this vastly superior force, we hauled off from the failure of our ammunition; for I have already said, anticipating

anticipating no serious results, we had not come in prepared for them. It was evident, however, that the junks had suffered considerably, and after a delay of about three-quarters of an hour, they weighed and made sail from under the protection of the battery, with the obvious purpose of making their escape through an adjacent outlet. By this time we had made cartridges, and were in a state to renew the action, and, as Captain Smith had proceeded out to bring in Her Majesty's ship, and wished the vessels to be prevented from escaping, I bore up and engaged them again, and succeeded in beating them back to their former position. In this affair, as in the preceding, I was very gallantly supported by Mr. Reddie, the commander of the *Pearl;* but the superior sailing of the cutter, cast the task of sending back these three vessels upon that vessel; and I can have no doubt that the impression, that such a force was more than enough to cope with three of their war-junks, will indispose the Commissioner to revert to his menaced measures of attack against this fleet. By this time the evening was closing in, and we returned to join the *Volage* and the boats from the fleet, then entering the bay for our support. During the night I conferred with Captain Smith, and he acceded to my recommendation, not to proceed in the morning and destroy the three junks; and above all, not to land men for the purpose of attack upon the battery, a measure that would probably lead to the destruction of the neighbouring village, and great injury and irritation of the inhabitants. If her services had been required for our support against a state of actual attack, such considerations could not have prevailed; but it did not appear to me to be judicious, or, indeed, becoming, to recommend the employment of Her Majesty's ship in the destruction of three junks, already most effectually checked by my own small vessel, with the assistance of another scarcely larger. There had been no act of aggression against Her Majesty's ship, and her active interference was unnecessary for the support of the honour of the flag.

The impression that this heavy force was not to be lightly used, and that there was no disposition to protract hostile measures, would be salutary; indeed in every respect it seemed to me to be our duty to confine her services to defence against attack, agreeably to the Commander-in-Chief's orders to himself, and despatch to me. Concurring in this reasoning, he has returned this morning to his former anchorage at Hong-Kong, for the purpose of continuing our organization of defence against the attacks of the Commissioner, so long threatened, but which I trust and believe the presence of Her Majesty's ship will avert. The only casualty I have to report on this occasion, is a flesh wound in the arm to Captain Douglas, of the ship *Cambridge,* in a gallant attempt to carry one of the junks at the close of the day; and two of his boat's crew also wounded rather more severely. I am greatly indebted to this gentleman for his public spirit in purchasing, at his own charge, at Singapore, on his way up, twenty-two 18 lb. guns, (hearing of our desperate condition at Canton). And I have no doubt that the sight of this imposing vessel, manned with a strong crew of Europeans, has discouraged attempts upon this fleet for the last two months. I should hope that Her Majesty's Government will be pleased to pay the expenses of this ship during the time he has performed these very valuable services in the absence of any ship of war, and reimburse him for the expense of the guns, and otherwise reward him as may seem right to your Lordship. Meritorious public impulses and pecuniary risks of this description will not be lost upon the Queen's Government. And the ship is still performing the useful service of guarding one of the entrances into this harbour, against the fire-rafts, and war-junks, with which we are menaced.

The Inclosure, No. 4, is a paper I have circulated on shore since the affair of yesterday.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

P. S. I take this occasion to inclose the copy of a remonstrance I placed in the hands of the official pilot, a few days since, (for transmission to the Keun Min Foo), when he brought me a proclamation from the Commissioner and Governor, which I declined to receive upon the grounds stated to your Lordship in other places.

(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 157.

Notice to the Chinese People against poisoning the Water.

Hong-Kong. Sept. 2, 1839.

A PLACARD, said to be posted on shore at Hong-Kong, to the following effect has this day been exhibited to Elliot, the English Superintendent:—

"Poison has been put into this water, which will destroy the bowels if it be drank. Let none of our people take it to drink."

He knows that the higher officers are incapable of issuing such shameful papers, and that they are the work of low and designing men.

Elliot now exhorts all the good and peaceable natives of the neighbourhood not to lend themselves to such practices, so sure to draw down the just wrath of the great Emperor, and to lead to conflict with the foreign men.

Here are several thousands of persons who have done no evil, but who, on the contrary, venerate the Emperor, and know that these troubles have arisen because his gracious commands have been violated, and because the truth is concealed from him. These men have arms in their hands, and is it reasonable to suppose they will suffer themselves to be starved to death and poisoned? These are vain and foolish thoughts.

Elliot has strictly commanded all the men of his nation to treat the natives of the land with justice and kindness, and to pay faithfully for all that is supplied. So long as the provisions and water are furnished without difficulty, Elliot will be responsible for the preservation of the peace. If they are stopped, Elliot knows that there will be conflict, and the blame will fall upon the heads of those by whom these troubles have been incited.

If any injury be done to the unoffending natives by the men of the English nation let them prefer their complaints, and they shall be redressed.

Whilst the people are commanded to poison the water for the cruel destruction of the men of the English nation, these English foreigners are risking their own lives, and freely using their own means, to save and succour the people of the land. On the 30th day of last month, thirty Chinese, belonging to Chaouchow, in this province, were landed from the English vessel *Manly*, having been saved from shipwreck, near the coast of Manila, about one month since. The men of the English nation consider it an act of sacred duty to assist the natives of the land in distress; and since Elliot has been in the country, several hundreds have been saved from shipwreck, and restored to their fathers and the care of their families, by the kindness of the English people.

Is it a suitable return to deprive them of supplies of food, and to poison the water which they are accustomed to drink?

For the sake of peace, Elliot writes these words.

(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 157.

Captain Elliot to the Officers at Kow Lune.

Kow Lune, September 4, 1839.

HERE are several thousands of men of the English nation deprived of regular supplies of food; and assuredly if this state of things subsists, there will be frequent conflicts. And the Honourable Officers will be responsible for the consequences.

These are the words of peace and justice.

(Signed) CHARLES ELLIOT.

Inclosure 3 in No. 157.

Minute of Conversations held by Mr. Gutzlaff with some Mandarins at the Anchorage of Kowlune.

September 4, 1839.

WHEN coming alongside the first junk in a two-oared gig, the soldiers put forth their boarding pikes; on assuring them, however, that I was unarmed, and had come alone, for peaceful purposes, they were ashamed of their untimely show of resistance. After some desultory conversation, they told me that there was no officer on board; the spokesman, however, though dressed in the common garb of the people, appeared to me as a naval officer. He informed me, that no public documents could be received and forwarded by the junks, but if I had to communicate anything verbally, he should be too happy to listen to my request. I then stated the reason of our coming, and showed him the necessity of our procuring supplies of provisions, since it was impossible that such a large fleet could subsist without them. He received the paper containing an enumeration of our grievances, and read it very attentively, but said that he was unable to act on his own responsibility and permit the people to come off, but he was perfectly willing to report the matter to his superiors. I turned then to the crew, and asked them, saying, "Suppose you were without food for any length of time, and debarred from buying it, would you wait until the case was transmitted to the higher authorities, or procure for yourself the same by every means in your power?" They all exclaimed, "Certainly nobody will like to starve, and necessity has no law." They directed me, however, to the other junk, where a low naval officer was said to reside. There I repeated my former arguments, with nearly the same result, of convincing them of the necessity of permitting the people to come off and sell provisions.

In this manner I went repeatedly backward and forward, repeating the tenor of our conversation to Captain Elliot. I also took two hundred dollars with me, assuring them that we could not leave the place until we had obtained supplies. The soldiers soon afterwards went off in a boat, to consult with the officer in the adjacent fort, and promised to tell us his opinion. It then appeared that nothing could be done, unless the matter were duly reported to the deputy of the Commissioner, who resides in the neighbourhood, and leave obtained from the Plenipotentiary himself. Having handed in to them a paper dictated by Captain Elliot, I most solemnly declared verbally, that all the mischief arising from their not permitting the people to come off to our ships would recoil on themselves, and besought them not to carry things to extremities, as the most disastrous consequences would naturally follow. At their request, I wrote also a list of the articles wanted; but was told that they could not be procured: something, however, would be made a present to us, to satisfy our immediate necessities, for which, however, no payment could be received. This was a mere manœuvre to gain time for manning the fort, whither numbers crowded. After the most pathetic appeal to their feelings, and having described the disasters which certainly would ensue from their obstinacy, I left them, and returned on board the cutter,—having thus repeatedly besought them to prevent, by timely yielding, loss of life, and all the concomitant feelings of men made desperate by hunger.

(Signed) CHARLES GUTZLAFF,
Joint Interpreter.

Inclosure 4 in No. 157.

Notice to the Chinese People regarding the peacefulness of our objects.

September 5, 1839.

THE men of the English nation desire nothing but peace; but they cannot submit to be poisoned and starved. The Imperial cruizers they have no wish to molest or impede; but they must not prevent the people from selling. To deprive men of food is the act only of the unfriendly and hostile.

Inclosure 5 in No. 157

Capt. Elliot to the Imperial Commissioner and Governor of Canton.

Hong Kong, September 2, 1839.

IS it consistent with peace, or with the dignity of the empire, to drive forth from their houses, and to deprive of supplies of food, and of attendance, women in the pains of child-birth, sick persons, and young children, upon the pretext that Elliot does not deliver up a man to be killed, although he has solemnly and repeatedly declared that he has strictly investigated according to the laws of his country, and that he is unable to discover who the guilty man is; and although it is most certain that the seamen of American ships were on shore, and engaged in the riot which led to this disaster. Is it desired that Elliot should deliver up any man indiscriminately, and involve the higher officers, as well as himself, in the guilt of murdering an innocent man?

Again Elliot asks,—Is it consistent with peace, or with the dignity of the empire, for the High Commissioner to encourage the natives of the land to acts of the worst description of violence against the men of his nation?

On the 16th day of the moon, native boats, which there is every reason to believe had mandarins on board, (for Elliot is in possession of a cap left there, such as is usually worn by native soldiers,) suddenly attacked a small English passage-boat, off the south-west end of Lantao, plundered her of much valuable property, caused six of the crew to loose their lives by drowning, attempted to blow up the vessel, and cruelly wounded and disfigured an English gentleman, by cutting off one of his ears, and stabbing him in thirty places.

At Hong-kong Elliot finds that the water has been poisoned; and though he knows the Commissioner never could have given an order so sure to draw down upon his head the terrible wrath of Heaven, and of the Emperor, still it is to be believed that the water would not have been poisoned, or the boat attacked, unless the Commissioner had incited the natives to acts of violence against the people of the English nation by untrue and inflammatory proclamations on the walls of Macao.

Elliot, who is an humble foreign officer, has done far more in fulfilment of the just Imperial will, for the suppression of the traffic in opium, than the High Commissioner, and is ready still farther to manifest his sincere earnestness by separating the lawful from the lawless trade. But when he offered to do so, the Commissioner refused to receive his sealed addresses in the manner agreed upon between the Governor of these provinces and himself on the 25th of April, 1837.

Thus the first interruption of the communication is attributable to the Commissioner, and its continued interruption arises from Elliot's determination to receive no papers whilst the walls of Macao are covered with unjust and inflammatory proclamations against him and all the men of the nation, and whilst his countrymen are deprived of their servants and supplies of food.

Let these things be adjusted, and Elliot is ready immediately to open honourable and friendly communication with the officers, and use his sincerest efforts to settle all things according to the principles of reason and justice, upon the basis of effectually separating the lawful trade from the unlawful, and of securing the faithful payment of the Imperial duties by the British ships.

(Signed) CHARLES ELLIOT.

No. 158.

Capt. Elliot to Viscount Palmerston.

My Lord, *Ship* Fort William, *Hong Kong, September* 8, 1839.

IN protection of British traders in China, (whose interests would be seriously injured by enabling the American merchants to avail themselves of their constrained absence from Canton to carry on the trade with Great Britain,

by

by transhipment from American into British bottoms outside the port of Canton, and other indirect means), I humbly hope Her Majesty's Government will take such steps as may be necessary to prevent the entrance of cargoes of China produce into the United Kingdom, if the manifests shall not be signed by me, till Despatches shall be received from here, announcing the opening of the trade on some such footing as will put it in the power of British merchants to carry on British business.

Your Lordship will permit me to remind you that these persons are abiding at Canton, at the formal sacrifice of most important principles of policy, which Her Majesty's, their own, and all the Western Governments hitherto firmly repudiated in the intercourse with China; neither can there be any doubt that the Trade would long since have been temporarily re-established on some safe and respectable footing if they had left Canton with us, as they ought to have done. They were the more called upon to pursue this course because it was entirely owing to my deeply responsible and active interference in their behalf that the Americans were saved from an exceedingly critical dilemma during our late imprisonment at Canton. In our common difficulties I felt it my duty to act for them as beneficially as I possibly could, not only because of the friendship between Her Majesty's and the American Governments, but because I know that union amongst foreigners for all honourable objects, is the best defence against the encroaching spirit of the Chinese authorities. It was not till the Commissioner received a certificate under my hand, that the declaration of the American Consul was faithful, that he ceased his persecutions upon them; and I sedulously endeavoured to avert other most perplexing consequences from falling upon them, to the considerable aggravation of my own responsibilities and anxieties. Their submission to the inadmissible pretensions of this Government and to the practical reduction of the foreigners at Canton almost to the condition of the Dutch at Japan, is excessively incovenient to the interests of the Western nations holding intercourse with China.

I would respectfully suggest the expediency of a representation to the American Government concerning proceedings, for which their citizens here have never pretended to put forward any other excuse, than the perfectly unfounded and unbecoming declaration, that they have nothing to expect from the protection of their own Government, and must therefore look to their immediate interests at the sacrifice of all general considerations.

The critical struggle with the Chinese Government respecting the affair of the 7th July, could never have assumed its present most serious aspect, if the Americans had admitted the unquestionable truth of my representation, that their citizens were engaged in the affray, that it was impossible to say whether the offender was American or British, and that they never could consent to the delivering up of a man to the Chinese Government in satisfaction of a homicide brought home against no foreign individual. Adherence to this principle is as necessary to them as to us, and their direct connexion with the riot of the 7th July, cast upon them the duty of asserting it on this occasion.

I have, &c.,
CHARLES ELLIOT,
Chief Superintendent.

P. S. I take this occasion to inclose a Memorial signed by all the British firms, which has this day been submitted to me for transmission to your Lordship.

CHARLES ELLIOT.

PUBLIC NOTICE.

Macao, July 29, 1839.

NOTICE is hereby given, That the Chief Superintendent has moved Her Majesty's and the British Indian Governments, to forbid the entrance of Tea and other Produce from this Country, imported in British Vessels entering the Port of Canton, in violation of his lawful injunctions, to the serious injury of measures taken for the general security of this Trade. And the Chief Superin-

tendent has further to give Notice, that he has also moved Her Majesty's and the British Indian Governments, to forbid the entrance of cargoes from this Country (till the Port of Canton be declared safe for British trade under his hand and seal), except their manifests be duly signed in his presence.

By order of the Chief Superintendent.

(Signed) EDWARD ELMSLIE,
Secretary and Treasurer to the Superintendents.

Inclosure in No. 158.

Memorial of British Merchants resident in China to Viscount Palmerston.

My Lord, *Hong Kong Bay, September* 7, 1839.

WE, the undersigned British Merchants, lately residing at Canton, several of whom had the honour of addressing your Lordship on the 23d of May last, on the subject of the outrageous proceedings of the Chinese Government in March last, are once more compelled respectfully, but most earnestly, to address your Lordship, in consequence of having been again subjected to further acts of arbitrary violence from the same source.

On completion of the surrender of the Opium by Her Majesty's Superintendent to the Imperial Commissioner, on behalf of Her Majesty's Government, (particulars of which have been laid before your Lordship,) your memorialists retired from Canton to Macao, in obedience to the injunctions of Her Majesty's Superintendent, in the hope of being allowed to remain peaceably in that settlement, until otherwise arranged by the authority of Her Majesty's Government.

After a residence of three months in Macao, your memorialists have been compelled suddenly to abandon that settlement, and seek refuge on board their ships, in consequence of menacing preparations of the Imperial Commissioner, and Edicts ordering the departure of British subjects, on pain of severe punishment; at the same time holding us responsible with our lives for the surrender of an individual to suffer death, in satisfaction of the alleged murder of a native in an accidental affray with some British and American seamen, a few weeks since, at the anchorage of Hong Kong.

Her Majesty's Superintendent has been unable, after a careful investigation according to the forms of British law, to fix such charge of murder on any British subject.

Without any charge whatever against your Memorialists, individually or collectively, from the High Commissioner, in connexion with the ostensible cause of our actual expulsion from Macao, we were first deprived of our servants and supplies of food, and then compelled to abandon our dwellings, without previous preparation, and in the possession of means barely adequate for the removal of our books, papers, and articles of immediate use and necessity under circumstances involving much cruel privation to families and invalids.

The Governor of Macao was pleased to express his anxiety to afford all aid in his power to the British community; but his Excellency did not attempt to conceal from your Memorialists the fact of his real inability to give them efficient protection; and they quitted that Settlement under a perfect conviction that such a course was imperatively necessary for the general safety.

Your Memorialists further beg leave to call to your Lordship's serious notice, a case of aggravated outrage, committed by some Chinese boats full of armed men, and bearing the flags of Mandarins, upon a British-owned passage boat, containing seven Lascars and an English Trader (then in the act of removing with his personal effects from Macao to Hong Kong), whom they cruelly mutilated; and after murdering five of the Lascars, and robbing the vessel of much valuable property, set on fire, and then abandoned it; an event which, although

although your Memorialists cannot consider it to have been committed with the knowledge of the Imperial Commissioner, yet they can entertain little doubt that it is mainly attributable to the highly menacing character of some of his late Edicts, and to his generally violent bearing towards foreigners, and especially the British: thus inducing the inferior officers to conceive that any acts of brutal outrage might be perpetrated with impunity.

In the former Memorial, an opinion was expressed, that after the violent acts of the High Commissioner in March last, the return of British subjects to Canton would be alike dangerous to themselves, to the property of their constituents, and derogatory to the honour of their country, until such time as the power of the British Government might convince the Chinese authorities that such outrages would not be endured.

And it was further stated that such powerful interference could alone prevent the recurrence of similar or more violent proceedings. Your Memorialists may respectfully refer your Lordship to the facts now detailed, in illustration of the justice of that opinion.

It appears unnecessary to add, that the circumstance of the British being outside the Port, instead of in Canton, has merely changed the scene, not the nature, of the Commissioner's persecutions; there being every reason to believe that had we remained in Canton, the plan by which the Commissioner succeeded in extorting property to the value of between two and three millions sterling, would again have been resorted to, for the purpose of endeavouring to enforce the surrender of an innocent man for capital punishment.

We have, &c.,

DENT and Co.	MACVICAR and Co.
BELL and Co.	VANIELLOTT,
D. M. RUSTOMJEE and Co.	JARDINE, MATHESON and Co.
FOX, RAWSON and Co.	BOMANJEE MANECKJEE,
LINDSAY and Co.	FRAMJEE JAMSETJEE,
DIROM and Co.	CAWASJEE SHAPOORJEE TABAC,
GRIBBLE, HUGHES and Co.	P. pro JAMIESON & HOW. WM. ALMACK
ROBT. WISE, HOLLIDAY and Co.	BURJONJEE SORABJEE,
EGLINTON MAITLAND,	HORMAJEE FRAMJEE,
W. & T. GUNNELL and Co.	COWASJEE SAFOORJEE,
TURNER and Co.	BURJONJEE MANOCKJEE,
COX and ANDERSON,	NESSEWANJEE BOMANJEE,
A. & D. FURDOONJEE,	PESTONJEE CAWASJEE,
G. HOGG,	CAWASJEE PALLANJEE.

No. 159.

Captain Elliot to Viscount Palmerston.—(*Received February* 1, 1840.)

Ship Fort William,
My Lord, *Hong Kong, September* 23, 1839.

ON the evening of the day that I closed my last despatch (8th instant,) Mr. MacDonald, master of the British armed schooner *Psyche*, at present taken up for the service of Her Majesty's Government, very imprudently left the harbour without orders, in a boat belonging to the ship *Myram Diram*, taking with him fifteen people to reconnoitre a passage in the immediate vicinity of this anchorage, said to be occupied by a force of war-junks.

The absence of the boat was unaccountably and culpably never reported to Captain Smith or myself, and we neither of us knew she had left the fleet till the evening of the next day (the 9th).

Casting attention upon the actual state of affairs, your Lordship will conceive the intense anxiety this circumstance occasioned us. No time was lost in despatching vessels in the direction in which the boat had proceeded, under the command of the officers of the *Volage*, with an interpreter; rewards were offered to the natives for information, and every effort was made to ascertain her fate.

The search, however, was attended with no other than a variety of reports, leading to the conclusion that she had been cut off, and that the Europeans were either killed, or taken up to the Bocca Tigris. This state of excessive disquietude and uncertainty harassed us till the evening of the 10th instant, and then, in the full persuasion that she had been cut off, I felt it became me to recommend the most urgent measure in my power, calculated to convince this Government that the further detention or injury of Her Majesty's subjects under such circumstances was an act of war against Her Majesty.

I therefore addressed the accompanying letter to Captain Smith of the *Volage*, and the Inclosures 4 and 5 are that officer's reply, and his notice of blockade.

On the 13th we proceeded to Macao in Her Majesty's ship, personally to communicate with the Governor concerning the situation of Her Majesty's subjects on board this fleet, and to proceed, if needful, to the Bocca Tigris. We had scarcely left this harbour when we fell in with an English ship coming over from Macao, communicating the unexpected and welcome information that Mr. MacDonald and all his people were safe on board.

It appeared that a strong adverse tide had caught him in the narrow passage. He proposed to explore, and having observed a considerable force in his rear, he judged it prudent to push on through the other outlet, and fortunately succeeded in making his way to Macao without molestation. There were no sails or provisions in the boat; and the exhausted condition of the people accounts for the length of a passage, that had left us without hope that he could have proceeded to Macao.

I need hardly say, my Lord, that the measure of a blockade never could have presented itself either to Captain Smith or myself, except under a conviction that certain of Her Majesty's subjects were actually in the hands of the Government. The other circumstances adverted to in the notice were indeed in a strong degree justificatory of it, but it was occasioned entirely by the fact of Mr. MacDonald's disappearance, and the information and belief that he and the other Europeans had fallen into the hands of the Chinese authorities.

I am perfectly sensible your Lordship could never countenance measures of such a nature upon the ground of any concluded event, but with the firm belief that the lives of Her Majesty's subjects were at stake, I hope it will be thought that I was justified in recommending the only strong measure of a public and national character in our power. And certainly, looking at the general aspect of circumstances, it can be no matter of surprise that I could not venture to pause beyond the time that had already been spent in anxious search, fruitful of nothing but alarming report. Perhaps I may remark here that it was intended to act upon the Government by the suspension of all foreign trade; without which it is

plain

plain to me that the peace of this province cannot be preserved, or the public emergencies met.

In the altered state of circumstances of these people's safety, however, Captain Smith concurred with me, that we were called upon to refrain from any measures of an active nature, and with this impression, he issued the accompanying notice.

I avail myself of this occasion to afford your Lordship the satisfactory information that the earnestness of my dispositions concerning the regular supply of provisions, manifested by the affair at Kow Lune, has had the effect of relaxing all rigour on that important point. The natives are no longer impeded in the abundant supply of the ships, at little above the usual rates, and the notices with respect to the poisoning of the water have been removed.

But, my Lord, that, and an event to be reported in another despatch, have, I cannot doubt, mainly contributed to induce the sober train of reflection in the mind of the Commissioner, which enables me to hold out to Her Majesty's Government the hope, that we are upon the eve of some satisfactory temporary solution of actual difficulties.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 159.

Captain Elliot to Captain H. Smith.

Ship Fort William,
Sir, *Hong Kong*, 10*th September*, 1839.

THE inclosed is a translation of the Proclamation by their Excellencies the Governor and the High Commissioner, concerning which we have heard so many rumours during these last few days.

Under these manifestations of dark and undistinguishing violence against all Her Majesty's subjects in this country upon the most unjustifiable pretexts, and having regard to the unexplained attack upon the passage-boat *Black Joke*, and the still more disastrous cutting off of the boat of the *Miram Diram*, I consider it incumbent upon myself to request you will forthwith declare the Port and River of Canton in a state of blockade.

Proposing, however, to disturb any actually commenced undertakings as little as may be possible, with due regard to the need of impressing upon this Government the gravity of the emergency, I would suggest that the notice of blockade should allow unobstructed egress to all vessels actually within the port of Canton, or entering within one week next after the date thereof.

The Inclosure No. 2 is a notice which it has seemed to me to be highly necessary to promulgate at this crisis, in order to leave no room for the inference that Her Majesty's officers, civil or military, are countenancing or protecting lawless traffic on the coasts of this Empire.

I have the honour to be, &c.
(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 159.

Proclamation calling on the people to arm themselves to resist parties of English landing on their Coasts.

LIN, High Imperial Commissioner, &c., and Tang, Governor of the Two Kwang, &c. A Proclamation, giving clear commands.

Whereas the English foreigners, in their overbearing pride and impracticability, have withstood the prohibitory enactments; those depraved individuals, who deal in opium, have continued to linger at Macao; the empty store-ships which have surrendered their opium, have thus long remained anchored in the outer Seas; and newly-arrived merchant vessels, neglecting to surrender what

opium they have brought, have collected together at Hong-Kong and the neighbourhood, neither entering Whampao, nor yet sailing back again, whereby occasion was given, in a drunken brawl, to cause the death of Lin Wie-hee, one of the people of the Empire: and whereas we, the Commissioner and the Governor, having reiteratedly issued commands to the Superintendent Elliot, justly to investigate and take proceedings therein, he has still withstood us, has not received our commands, and has sheltered and failed to deliver up the murderer, (acts of contumacy and of stiff-necked presumption, such as cannot be surpassed). Therefore, we, the Commissioner and the Governor, have given strict commands to the local officers, civil and military, at every point, by land and by water, faithfully to intercept and wholly to cut off from the English all supplies, that they may be made to fear and to pay the tribute of fealty.

We now find, that these English foreigners, though they have one and all left Macao, have yet gone to reside on board the foreign ships at Hong-Kong; and it is to be apprehended, that, in the extremity of their embarrassment, some may land at the outer villages and hamlets along the coast, forcibly to purchase provisions, or plunder the inhabitants. Against chances of this nature, it is most necessary to take all precautionary and preventive measures.

For this reason we make proclamation to all the gentry and elders, the shopkeepers, and inhabitants of the outer villages and hamlets along the coast, for their full information. Pay you all immediate obedience hereto; assemble yourselves together for consultation; purchase arms and weapons; join together the stoutest of your villagers; and thus be prepared to defend yourselves. If any of the said foreigners be found going on shore to cause trouble, all and every of the people are permitted to fire upon them, to withstand and drive them back, or to make prisoners of them. They assuredly will never be able, few in number, to oppose the many. Even when they land to take water from the springs, stop their progress, and let them not have it in their power to drink. But so long as the said foreigners do not go on shore, you must not presume to go in boats near to their vessel, causing in other ways disturbances that will surely draw on you severe investigations.

Taoukwang, 19th year, 7th month, 23rd day (31st August, 1839)

(True translation.)

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 3 in No. 159.

GENERAL MEMORANDUM.

To Commanders of all British Vessels, and others Her Majesty's Subjects.

Ship Fort William,
Hong Kong, September 11, 1839.

AMONGST the pretexts put forward by the Commissioner, for the vindication of his measures of dark and undistinguishing violence against all Her Majesty's subjects in China, men, women, and children, is the declaration that some of them are actually engaged in the illicit traffic of opium at this anchorage. The Chief Superintendent, on his part, considering it his duty to leave no just room for the inference that Her Majesty's flag is flying here in the countenance or protection of persons engaged in a trade declared to be lawless by the Government of this country, (to the great aggravation of the risks of the ships detained till the lawful trade can be conducted on a safe and honourable footing,) has now to require all commanders of ships not having opium on board, to repair to this vessel within the next 48 hours, and make oath to that effect.

And, moved by the pressing public considerations hereinbefore set forth, the Chief Superintendent has to require that all British vessels engaged in the traffic of opium, should immediately depart from this harbour and coast.

By order of the Chief Superintendent,
(Signed) EDWARD ELMSLIE,
Secretary and Treasurer to the Superintendents.

N.B. Copies of this memorandum may be had on board the ship *Fort William.*

Inclosure 4 in No. 159.

Captain Smith to Captain Elliot.

Sir, *Her Majesty's Ship* Volage, *Hong Kong, September* 11, 1839.

I HAVE the honour to acknowledge the receipt of your letter of the 10th instant, inclosing (No. 1) the Proclamation of their Excellencies the Governor and the High Commissioner, against the lives of Her Majesty's subjects.

Taking maturely into consideration this Proclamation, together with the circumstance of the cutting off of the boat of the *Myram Dirom*, and the insecurity of the shipping here, I most fully concur with you in seeing the necessity for our self-preservation, to declare immediately the port and river of Canton in a state of blockade, the notice of which I herewith transmit to you, and request you will make it public. "As this anchorage is assailable from so many points, and as I observed to-day that more Junks have arrived in Cowloon Bay with a considerable number of armed men, I take the liberty of suggesting to you the propriety of causing the shipping here to be removed to the anchorage below Chuenpee, as Her Majesty's vessels will then be able, not only to maintain the blockade, but to give the British shipping the necessary protection."

With respect to Inclosure No. 2, I quite agree with you that at this crisis it is highly necessary it should be fully understood. Her Majesty's Officers are not in any way countenancing or protecting the illegal traffic of opium on the coast of China.

I have the honour to be, &c.,
(Signed) H. SMITH,
Captain.

Inclosure 5 in No. 159.

OFFICIAL PUBLIC NOTICE.

THE High Commissioner and the Governor of these Provinces having publicly forbidden the regular supplies of food to Her Majesty's subjects; having commanded the people to fire upon and seize them whenever they go on shore to purchase provisions; and certain of Her Majesty's subjects having been actually cut off, Notice is hereby given that it is my intention at the requisition of the Chief Superintendent of the trade of British subjects in China to establish a blockade of the river and port of Canton: and Notice is hereby further given that none other than vessels actually within the port, or foreign vessels entering within six days from the date hereof will be allowed free egress till the blockade be declared raised.

Notice of the blockading force will be hereafter promulgated.

Given under my hand on board Her Majesty's ship *Volage*, at anchor in Hong Kong Bay, off the port of Canton, this 11th day of September, 1839.

(Signed) H. SMITH,
Captain of Her Britannic Majesty's Ship Volage.

Inclosure 6 in No. 159.

OFFICIAL PUBLIC NOTICE.

THE safety of certain of Her Britannic Majesty's subjects, supposed to have been cut off by the officers of the Chinese Government, having been ascertained, and negotiations being opened upon the basis of the withdrawal of the proclamations against the lives and liberty of Her said Majesty's subjects,

It is hereby declared that, till further notice be given (founded upon the result of such negotiations,) the blockade notified by me on the 11th instant will not be established, and vessels continuing to enter will be permitted to pass, and unobstructed.

Given under my hand on board Her Majesty's ship *Volage*, at anchor in Hong Kong Bay, off the port of Canton, this sixteenth day of September, 1839.

(Signed) H. SMITH,
Captain of Her Britannic Majesty's ship Volage.

ADDITIONAL

CORRESPONDENCE

RELATING TO

CHINA.

No. 1.

Captain Elliot to Viscount Palmerston.—(*Received March* 13, 1840.)

My Lord, *Macao, October* 21, 1839.

IN my despatch of the 23rd ultimo, I expressed the hope, that it would soon be in my power to put an end to the state of great danger and difficuity then existing; and I have now to report its realization in an adjustment, temporary, indeed, but honourable.

The British community is returning to Macao, the ships will proceed immediately tc discharge their cargoes, and, in all respects, there is a restoration of the usual tranquillity; neither has there been any departure, as your Lordship will hardly need to be told, from the principles, that it was impossible for me to deliver up a man in compensation for the native Lin-Weihe; or to accede to signing of a bond of consent to the trial and capital punishment of the Queen's subjects, by Chinese forms of proceeding.

The general report of these proceedings must be deferred till I am enabled to make it with more convenience and leisure than I can do at present, pressed with immediate business, and with part of my establishment, and the archives of my office, still embarked. But the inclosed papers will place Her Majesty's Government in possession of the terms of the present agreement.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 1.

(From the *Canton Register* of October 23, 1839.)

THE following is an abstract of Her Majesty's Superintendent's Proceedings and Correspondence with the High Commissioner and the Governor of Canton, to which we alluded in the *Register* of yesterday; and the arrangements between the British merchants and the Linguists, concluded at yesterday's meetings, are also now published for general information.

We abstain at present from offering any remarks on these matters.

Captain Elliot having favoured two gentlemen of the Committee of the British Chamber of Commerce with the perusal of the Documents connected with the Negotiations now pending with the Chinese Government, with permission to make an Abstract of their Contents for general information, the following has been drawn up :—

Memorandum of Negotiations between the Imperial Commissioner and Captain Elliot.

Four propositions or conditions of amicable arrangement forwarded in the name of the Commissioner and Governor of Canton.

1st. CAPTAIN ELLIOT is accused of keeping the vessels outside, for the purpose of smuggling; but now appearing desirous of establishing a permanent and honourable trade, he must collect all the opium and deliver it up. If it be still retained on board the ships, it will only remain to set fire to the whole.

2ndly. It is asked, if Captain Elliot is unable to detect the murderer of Lin Weihe among the persons found guilty of riot and assault in the late affray,— What is to prevent their being sent for trial by the Chinese officers, one only to be kept to answer for the crime?

3rdly. The immediate departure of the store ships and the rest of the proscribed is required; and in the event of disobedience, the ships are to be burnt, and the proscribed seized and brought to trial.

4thly. To the assemblage of British ships at Hong Kong, is attributed the renewal of the opium traffic; the homicide of Lin Weihe; and to Captain Elliot, the attack and defeat at Cowloon. Captain Elliot has stated that he must wait his Sovereign's commands. It is inquired when the despatch left, and when a reply may be expected? and then a modified arrangement will not be difficult to determine upon, if Captain Elliot acts obediently upon each of the propositions.

Captain Elliot in reply to the conditions of the Commissioner and Governor of Canton.

HAVING already taken severe measures, there ought not to be one catty of opium in the fleet; nor does Her Majesty's flag fly in the protection of a traffic declared illegal by the Emperor; and, therefore, whenever a vessel is suspected of having opium on board, Captain Elliot will take care that the officers of his establishment shall accompany the Chinese officers in their search; and that if, after strict investigation, opium shall be found, he will offer no objection to the seizure and confiscation of the cargo. Again, if the consignee of a vessel profit by opium on board of her, and does not declare the same to him, that it may be reported, he will offer no appeal if the firm be expelled from the empire. He proposes that to separate the lawful from the unlawful trade, no firm shall be allowed to reside or trade in China, until he. Captain Elliot, shall have forwarded to the high officers a declaration signed by each member of it, solemnly declaring they have no concern, direct or indirect, with opium; neither will they permit any one under their controul to have anything to do with the drug, and that they be made aware that detection will cause thejr immediate expulsion. And he further proposes that unless the commander and consignee of every vessel, on the day of arrival, hand in to him a solemn declaration, in Chinese and English, that she has brought no opium to China, has none on board, neither will receive any, she shall not be allowed to trade. Captain Elliot believes thai this would effectually separate the lawful from the lawless trade here. With reference to the murder of Lin Weihe, Captain Elliot assures the Commissioner that every investigation was made to detect the murderer; but there having been many American and English sailors on shore, it was impossible to detect him. Hereafter, he proposes that a joint investigation be determined

mined on, congenial with the customs of both nations. The most severe search shall be continued after the murderer of Lin Weihe, and a reward offered for him; and if found, he shall be placed on his trial, according to the laws of his own country, before the Honourable (Chinese) officers.

Captain Elliot thinks it right his Excellency's wishes should be complied with as regards the receiving ships, and the proscribed, as soon as the first northerly wind sets in, which will be in a few days; he appeals, however, in favour of Mr. Donald Matheson and Mr. Henry, they not having been concerned in the drug.

Captain Elliot expects the commands of his Sovereign in four months; and until their receipt it will be impossible for ships to proceed to Whampoa. He suggests it may be necessary to sell some of the receiving-ships, several being old and unfit for sea; and requests six days' residence at Macao for the proscribed, previous to their departure. Regarding the man found drowned at Hong Kong, he did belong to a British ship. There were no marks of violence upon him, nor can Captain Elliot say he was concerned in the death of Lin Weihe.

Captain Elliot appeals to his past intercourse with the Canton authorities, as affording grounds for their reposing confidence in him.

The Commissioner and Governor of Canton in reply to Captain Elliot's propositions.

1st. PROOF has been given that there is opium in the fleet, and Captain Elliot is ordered to collect and make immediate delivery of it. Should any be stealthily removed and hereafter seized, all parties concerned shall suffer death, according to the new law. If opium be taken on the coast, the vessel shall be taken and destroyed, and her crew put to death. So soon as the opium now in the fleet has been delivered up, officers shall be sent to examine the ships. A modified arrangement for carrying on British trade outside the Bogue may then be made, but not through Macao. Captain Elliot is required to make known that all vessels must obey the new law against opium, and that its violation is death.

2nd. The murderer of Lin Weihe, must be delivered up in ten days. Delay may draw down measures of extermination.

3rd. The opium ships must leave immediately; leave is granted to the proscribed to return to Macao for six days, previous to their departure; but other foreigners must wait pending arrangements before returning to Macao.

4th. All the Chinese in the fleet are commanded to be given up.

Captain Elliot's reply is to be sent through the Keun-Min-Foo.

Macao, October 21, 1839.

IN promulgating the following arrangement, the Chief Superintendent considers it right to say a few words explanatory of his views for rejecting any conditions involving the signing of a bond of consent to the trial and capital punishment of the Queen's subjects by Chinese officers.

He never pretends to deny the right of this Government to make what laws it sees fit; that no share of the responsibility either of their principle or administration should be cast upon the Queen's officers and subjects, not parties to the one or the other.

The liability of the Chinese officers to irreparable error, attended with sacrifice of innocent life, has recently been manifested in the violence committed upon the Spanish brig *Bilbaino*, under the impression that she was the British vessel *Virginia*.

This declaration has been repeated over and over again by the Government; so that the high officers of the empire are deliberately sustaining shameful blunder by shameless falsehood, or the truth cannot reach them even upon subjects of this momentous nature. Either alternative furnishes irrefragable reason

for resisting a bond of consent to the infliction of capital punishment by their forms of trial.

But, again, if the principle be admitted in the case of one description of offence, how can it be rejected for crime of a graver character, and notably for homicide?

The dangerous doctrine of Chinese law, however, upon that point, or at least of the practice in respect to foreigners, can never be sanctioned.

For example, in the very instance which has pressed so cruelly and so unjustly for the last two months on the whole British community, the Governor and Commissioner still demand a man; in other words, they require the Chief Superintendent to be guilty of the crime of murder by delivering up a man for execution in compensation for a murder committed by a person or persons wholly unknown to him.

The pertinacity with which the Chinese press for this bond, is particularly significant, and seems to be ascribable to a mixture of motives. In some degree, probably to the sense of their own unfitness to judge foreigners (without their own consent), arising from utter difference of genius, language, and customs; and it may be from the feeling that the full protection of their own laws is not extended over us, to the same degree as it is over the native population. A stronger cause would of course be the apprehension of consequences from foreign Governments; and they are certainly right in the belief that the chance of urgent appeal for redress would be slight indeed, if it were to be answered by the presentation of bonds of consent to sentences against ourselves, or by the simple declaration that we have delivered the man.

In this last case, there could be nothing to say; in the other, Chinese would produce the records of the trial; insist that they had examined faithfully, and decided justly; and hand forth the bond of consent.

The Chief Superintendent is sure it will be felt by his own Government and country, that there can be neither safe nor honourable intercourse with this empire, if British officers and people concede such points as these.

By order of the Chief Superintendent,

EDWARD ELMSLIE,
Secretary and Treasurer
to the Superintendents.

PUBLIC NOTICE.

To Her Britannic Majesty's Subjects.

Macao, October 20, 1839.

IT has been agreed between their Excellencies the High Commissioner and Governor upon the one side, and the Chief Superintendent of the Trade of British subjects upon the other, that under existing circumstances:—

1. The British Trade may be carried on outside the Bocca Tigris, without any necessity of signing the bond of consent to Chinese legislation (to be handed to Chinese officers), upon the condition that the ships be subjected to examination.

2. That the place of resort shall be the anchorage between Anunghoy and Chuenpee.

3. It is fully understood, that the vessels, while discharging their cargoes outside the Bogue, shall pay the measurement charge in the same manner as if they went up to Whampoa. The pilot's charges shall also be paid as usual. The linguist's fees shall be paid in like manner.

4. The vessels proceeding to Anunghoy will transport their cargoes by means of chop-boats, and will undergo search by the officers.

By order of the Chief Superintendent,

EDWARD ELMSLIE,
Secretary and Treasurer
to the Superintendents.

Minute of the Committee.

THE Committee of British merchants deputed from Hong Kong, have this day attended a meeting of the Hong merchants, at the residence of Her Majesty's Chief Superintendent, to discuss the details of a proposed plan for renewal of commercial intercourse.

The Committee have been informed by Her Majesty's Chief Superintendent, that the principles of such proposed trade, as agreed on between himself and the Chinese authorities, are comprised in the accompanying paper, bearing his signature, and that their opinion is desired merely as to the best mode of carrying the system into operation.

They understand it to be the general wish of the British community, in concurrence with the views of Her Majesty's Chief Superintendent, that, if possible, a temporary settlement should be made for a trade outside the Bogue; and that it is highly desirable to prevent the return of the ships to Whampoa, and the British community to Canton, until the pleasure of Her Majesty's Government be known.

The Committee deeply regret to say, from the tenor of their communications with the Hong merchants, they are apprehensive that the circumstance of one English ship, the *Thomas Coutts*, Captain Warner, having actually proceeded inside the Bogue, in violation of the injunctions of Her Majesty's Chief Superintendent, and the fact of the Captain having signed the bond required by the Chinese Government, may occasion delays and difficulties in the proposed trade outside, which would never have arisen, had all the English remained firm, as they have hitherto done, in resisting the attempt made to force them into a written acquiescence in the new laws, involving the trial of foreigners by Chinese officers, and their capital punishment, for dealing in opium.

With these preliminary remarks, and referring again to the terms agreed on by Her Majesty's Chief Superintendent, the Committee subjoin the following memoranda of details, suggested by themselves and the Hong merchants, for the conduct of the proposed outside trade.

1. Chuenpee has been proposed as the port of discharge and loading; but the Committee think it probable some other place outside the Bogue may be found less liable to objection, on the ground of the strength of winds and tide, and difficulty as to the despatch of cargo by chop-boats.

2. It is agreed that the cargoes be discharged and loaded, by means of China chop-boats.*

3. The Hong merchants propose to charge for boat hire, 50 taels for 240 bales Bengal cotton, and 50 taels for 210 bales of Bombay cotton, and in proportion for other goods, according to the old tariff for cargo from 2nd bar.†

4. The Hong merchants agree that the produce in boats from Canton to the ships, shall be at their risk, as formerly the case with the Whampoa trade, and the goods from the ships to Canton at the risk of the foreigners.

5. The weight of goods to be taken from the ship's side, as at Whampoa.

6. Goods in Canton, when unsold in the hongs, to be at the risk of the owners in case of accident by fire; and the Government duty in such case to be paid by the owners.

7. If goods remain unsold in the hongs two and a half months after arrival, the duty must then be paid by the owners.

8. It is suggested by the Hong merchants, to facilitate business, that the whole of a ship's cargo be sent to one hong; but the different consignees may select their own security merchant for sale of the property.

---

* It is mentioned that only about twelve chops daily can be considered available for the outside trade.

† This scale of charge would be as follows compared with the old rate charge

for one boat		15.22
Or say 3 boats carrying 240 bales, Bengal cotton		45.66
Present charge, 50 taels		69.43
	Increased charge dollars	23.77

ADDITIONAL MEMORANDA.

1. IT was stated by the Hong merchants that temporary warehouses, or store ships, at Chuenpee, or other port of discharge, could not be allowed.

2. It was stated that the Mandarins would object to vessels, when discharged, taking stone ballast at Chuenpee; but this, it has been represented, would prevent the ships fully unloading; which fact the Hong merchants promise to represent to the Mandarins.

3. The Hong merchants state that no unnecessary difficulties will be made in the examination of cargo; and it was further stated that no objection will arise to the continued stay of any ship or ships, while their business is unfinished.*

4. It was mentioned by the Hong merchants, that the arrangement for a temporary trade outside is intended to apply only to the ships now actually here; not to those which may hereafter arrive: but the Committee conceive that the principle should apply to any vessels arriving prior to the receipt of instructions from the British Government. At the same time, they do not consider it expedient to embarrass the question by agitating it at the present moment; leaving the matter for after negotiation, should the proposed plan be found to operate satisfactorily.

The Committee further understood from Her Majesty's Chief Superintendent, that on the arrangement for a recognized outside trade being completed, the injunctions against sending British property to Canton (not ships) will be withdrawn; and that property so sent will be considered as under the protection of the British Government.

The Committee have represented to Her Majesty's Chief Superintendent, and the Hong merchants, that in their opinion, a trade under the proposed new plan cannot be commenced until the British community have returned to Macao.

Macao, October 22, 1839.

(Signed) HENRY WRIGHT.
GEORGE T. BRAINE.
WILLIAM WALLACE.
WILKINSON DENT.

At another meeting of the British merchants and Hongists, held to-day, the following arrangement was substituted for the 8th regulation:—

One hong will disembark the whole cargo of a vessel; but after the goods are brought to Canton, and examined, the owners will be at liberty to send them at once to whatever hong they please.

No. 2.

Captain Elliot to Viscount Palmerston.

Her Majesty's ship, Volage,
Hong Kong, November 5, 1839.

My Lord,

SINCE I closed my despatch of October 21, a different and unhappy turn of affairs has been brought about, and I am grieved to report that this serious public mischief is attributable to the conduct of a British subject, Mr. Warner, master of the ship *Thomas Coutts*. Upon his arrival from Singapore, Mr. Warner did not repair to Hong-Kong, but demanded his

* It is understood, that Her Majesty's Chief Superintendent has agreed with the Chinese authorities as to the right of examination of ship's cargo at Chuenpee; but the Hong merchants explain, that this examination shall take place only on delivery to the boats. The Committee consider that any other mode of examination would be very objectionable to the British merchants.

his pilot permission; and proceeded to the Bocca Tigris, signed the required bond of consent to the new laws, involving the infliction of capital punishment by Chinese forms of trial; and the ship was immediately carried up to Whampoa. It is an aggravation of Mr. Warner's heavy responsibility, that he was perfectly aware of the advanced state of my own negotiations with the Chinese Government when he took this step.

The natural consequence was a determination upon the part of the Commissioner to break off his concluded arrangement with me; and a demand for the entrance of the whole British shipping upon the same conditions as the *Thomas Coutts*, or their departure from this coast in three days, under menaces of destruction if they remained.

I am informed that Mr. Warner's proceedings were founded upon legal advice taken in India. Technically considered, these opinions may be sustainable or not; but looked at in any practical or larger point of view, they are inconsistent with common sense, and cannot be acted upon with safety.

If every Commander of a British merchant vessel, moved by his own particular and transient interests, has indeed full power to enter into and conclude separate negotiations with the officers of this peculiar Government, upon subjects of great general importance, and involving the abandonment of principles that Her Majesty's Government has always steadfastly maintained, the British trade with China must soon cease to exist.

I presume to say, that I am better versed in the particular matter I am treating, than the legal gentlemen who have arrived at the conclusions upon which Mr. Warner has acted; and it is my duty respectfully to submit my opinions to the consideration of Her Majesty's Government. Whether the act itself, or the moment chosen for its execution, be considered (when a suitable arrangement upon admissible public principles was absolutely concluded), I believe it would be difficult to point to a more reckless transaction, or to one more injurious in its results, than this of Mr. Warner.

Referring your Lordship to my letter of the 27th ultimo to Captain Smith, and that officer's reply, it is now my painful task to report the most serious collision which has ever taken place between Her Majesty's forces and those of this Empire, during our whole intercourse with this country. I repaired on board the *Volage* in Macao Roads, on the 28th ultimo, accompanied by Mr. Morrison, with the purpose to assist at any conferences or negotiations that might take place at Chuenpee, and also to pilot the ships to that anchorage. Strong adverse winds retarded our arrival there till the morning of the 2d instant, when the ships were anchored about a mile below the first battery, where an imposing force of war junks and fire vessels was collected.

A Lieutenant, accompanied by Mr. Morrison, was dispatched to the junk of the Admiral with Captain Smith's address. They were civilly received; and the Admiral replied, that he would forward the paper to their Excellencies then in the neighbourhood, and send out the answer next day. He also expressed a wish that the ships should move down a little further, which Captain Smith immediately did, with the intention to manifest the sincerity of his peaceful dispositions. In the course of the same evening, the 2d, a linguist was sent to the ships with a verbal message, requesting the presence of Mr. Morrison on board the Admiral's junk. It was replied, that the written address contained all that was to be said, and till that were answered Mr. Morrison's visits were inexpedient.

In the course of the forenoon of the next day (the 3d), an officer of some rank anchored at a short distance from the ships, and again sent the linguist to desire that Mr. Morrison should call upon them. It was answered in the same terms as the message of the preceding evening.

About this time, the Chinese squadron, under the command of the Admiral, broke ground and stood out towards Her Majesty's ships, which were immediately got under weigh, and directed towards the approaching force. As soon as this proceeding was observed, the squadron anchored in good order to the number of twenty-nine sail, and Her Majesty's ships were hove

to, whilst the accompanying paper was transmitted by the linguist to the Admiral.

In a short time, he returned an answer, to which I felt myself called upon to reply. I should also add, that the linguist brought back with him Captain Smith's address to the Commissioner, and a sealed chop to the address of the Commander of the ship on board of which the five prisoners lately sentenced for participation in the riot of the 7th July, had been confined.

Captain Smith now informed me, that he did not feel himself warranted in leaving this formidable flotilla at liberty to pass inside of him at night, and carry into effect the menaces against the merchant vessels; and thinking that the retirement of Her Majesty's ships, before a force moved out with the palpable intention to intimidate, was not compatible with the honour of the flag, he should forthwith endeavour to constrain their return to their former anchorage. Conscious that all had been done which was within my power, to satisfy the just demands of the Chinese officers,and perceiving that the necessity had arrived for checking their hostile movements, I could only offer Captain Smith the expression of my concurrence in his own sentiments. At about noon, therefore, the signal was made to engage, and the ships, then lying hove-to on the extreme right of the Chinese force, bore away in a line a-head and close order, having the wind on the starboard beam. In this way, and under easy sail, they ran down the Chinese line, pouring in a destructive fire. The lateral direction of the wind enabled the ships to perform the same evolution from the opposite extreme of the line, running up it again with their larboard broadsides bearing. The Chinese answered with their accustomed spirit; but the terrible effect of our own fire was soon manifest. One war junk blew up at about pistol-shot distance from this ship, a shot probably having passed through the magazine; three were sunk; and several others were obviously water-logged. It is an act of justice to a brave man to say, that the Admiral's conduct was worthy of his station. His junk was evidently better armed and manned than the other vessels; and, after he had weighed, or, more probably, cut or slipped, he bore up and engaged Her Majesty's ships in handsome style, manifesting a resolution of behaviour honourably enhanced by the hopelessness of his efforts. In less than three quarters of an hour, however, he, and the remainder of the squadron, were retiring in great distress to their former anchorage; and as it was not Captain Smith's disposition to protract destructive hostilities, or, indeed, do more than repel onward movements, he offered no obstruction to their retreat; but discontinued the fire, and made sail for Macao, with the purpose to cover the embarkation of such of Her Majesty's subjects as might see fit to retire from that place, and also to provide for the safety of the merchant-ships.

The ships arrived at Macao on the evening of the same day (the 3rd), and arrangements were immediately made for the embarkation of those of Her Majesty's subjects there who thought it safest to retire. On the morning of yesterday (the 4th), I accompanied Captain Smith in the *Volage* to this anchorage, where we arrived late last night; and the *Hyacinth* was left at Macao, to watch events in that quarter.

The nature of this anchorage, exposed to attack from several quarters, has already induced me to communicate with Captain Smith, and publicly to recommend the removal of the merchant-ships to the safer situation of Tong Koo; but its convenience in other respects, and the general want of experience in military affairs, and ill-founded confidence in their own strength or skill to resist sudden attack, upon the part of a great many of the masters of the merchant shipping, have conspired to baffle my purposes.

I am sorry to add, that on my arrival here, I find my apprehensions too well founded. Considerable force is collecting upon all sides; and the merchant shipping is in no condition of effectual preparation against surprise. As soon as Her Majesty's ship has completed her water, and repaired some trifling damage, she will remove to Tong Koo; and in the present serious aspect of affairs, I trust the masters of merchant ships will

not

not hesitate to follow her, where they can be more easily protected. Their continuance at this place cannot fail to lead to renewed hostilities, which it is Captain Smith's, and my own duty and sincerest disposition to avoid.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 1 in No. 2

Captain Elliot to Captain Smith.

Sir, *Macao, October* 27, 1839.

COPIES of the communications from the high officers, breaking off their late arrangement with me, received during your absence at Hong Kong (the substance of which I have already imparted to you), shall be forwarded with all practicable despatch; but, in the mean time, I must take the liberty to call your earnest attention to the highly menacing character of these papers; to the renewed assemblage of troops in this neighbourhood; and to credible information that the Admiral is in considerable force at the Bocca Tigris, and intending some early attempt upon the merchant fleet, with the pretence to seize the murderer of Lin-Weihe.

Upon my part, Sir, I have anxiously endeavoured to afford their Excellencies all just satisfaction in the several demands they have made upon me, and particularly with respect to the illicit traffic in opium. I have submitted, as you are aware, very comprehensive and stringent propositions with the purpose effectually to separate persons choosing to carry on the lawful trade from those engaged in pursuits dangerous and disgraceful in the last degree. And I have over and over again declared to the high officers, that none other than lawful commerce will ever receive the least countenance or protection from the Queen's Government. But concession to their demand for a bond of consent to submit to Chinese penal legislation, involving capital punishment by Chinese forms of trial, is a step which I dare not sanction, or fail to prevent, by all lawful means in my power, till I am differently instructed from England; for it involves a complete abandonment of a principle that has always been firmly insisted upon in our intercourse with China, and which cannot be given up with any possibility of conducting the British trade with this empire.

My own views upon this important question have been more fully explained in the accompanying notice to Her Majesty's subjects, and I therefore use the freedom to transmit it for your consideration.

The single remaining point (and that is now declared to be of indispensable necessity) is the demand for a man in satisfaction for the native Lin-Weihe. I need not trouble you with comment upon that requirement. It has been repeatedly answered to their Excellencies, as fully, as faithfully, and as respectfully as I could reply to such matter.

In this grave conjuncture, menacing the liberty, lives and properties of the Queen's subjects, with innocent men, women and children, once more commanded forth from their houses at Macao, and with one ship actually within the river upon their own conditions I feel it my duty to declare to you that I have no hope of leading their Excellencies to measure their proceedings by the dictates of justice and moderation.

Such being the case, Sir, I would take the liberty to suggest to you that the immediate removal of Her Majesty's ships to the anchorage below Chuenpee, and a moderate, but firm address, in your own name, to their Excellencies, appear to me to afford the only chance of arresting some sudden disaster. Upon the other hand, this measure will enable you to judge of the actual extent of preparation, and of the readiness to attack; and if it be intended, as I am strongly disposed to believe, Her Majesty's ships can be in no more suitable or imposing situation for effectually repelling such aggressive purposes

than in the sight of the batteries, and under the immediate observation of the Commissioner.

In my place, Sir, I have felt that it was my bounden duty to make every practicable concession, for peace sake, consistent with honour and the permanent interests of Her Majesty's Government in this country,—and I have done so; but these dispositions must be limited by the recollection, that a large British merchant fleet, with an immense amount of property on board, and with almost the whole British community embarked, is in hourly danger of surprise from a powerful flotilla of armed and fire-vessels, under the direction of a functionary who has proved himself to be singularly reckless of consequences and void of good faith.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 2.

Captain Smith to Captain Elliot.

Sir, *Her Majesty's ship* Volage, *Macao, October* 28, 1839.

I HAVE the honour to acknowledge the receipt of your letter of the 27th instant (with the inclosure), informing me of the agreements, lately concluded for carrying on the trade, having been broken off by the Imperial Commissioner and Governor of these provinces.

I am fully aware of the very great anxiety you have shown, and the exertions you have made for restoring Her Majesty's subjects to their homes at Macao, and for causing the legal trade to be carried on in a manner most suitable to the dignity of our country, and the convenience of the merchants, without conceding to the demands of the Chinese authorities principles involving the lives of the Queen's subjects.

I have observed with considerable uneasiness, the great increase of force in the neighbourhood of the shipping at Hong Kong, and the erection of batteries, approaching the beach, as well as the formidable force assembled outside the walls of Macao; and although I am instructed by the Admiral, to avoid by all possible means collision with the Chinese, yet taking into consideration these circumstances, with the menaces of destruction contained in the communication from the Chinese officers, it is my opinion that a firm and decided stand ought to be made against their further encroachments; and concurring with you, that the best mode would be propositions made direct to the Imperial Commissioner at the Bogue, I am quite ready to move the ships up for that purpose.

I have no doubt the present distressing state of affairs has been brought about by the injudicious entrance of the ship *Thomas Coutts* into Whampoa; and I think that until affairs get more settled, and some arrangements made with the Chinese, the further entrance of the British ships would be attended with very great danger.

I have the honour to inclose to you two propositions, which I think would be suitable to send to the Imperial Commissioner on this occasion.

I have, &c.,
(Signed) H. SMITH,
Captain and Senior Officer.

Inclosure 3 in No. 2.

Captain Smith to the High Commissioner and Governor of Canton.

Her Majesty's Ship Volage, *November* 2, 1839.

SMITH, the Commander of the Queen of England's ships in these seas, charged, under heavy responsibility, with the protection of the lives of his countrymen, and of the merchant fleet engaged in lawful commerce, submits two propositions to their Excellencies the High Commissioner and the Governor.

First. That they will forthwith publish a Proclamation, declaring the withdrawal of the orders for the destruction of the English cargo ships by the war junks and fire-boats in three days, because the Commanders do not sign a bond, which they cannot do consistently with the laws of their own country.

Second. That the English merchants and families may reside on shore without danger of seizure, and be duly furnished with their servants and supplies, till the commands of the Queen of England can be received, for the adjustment of all difficulties, agreeably to the principles of peace and reason.

Smith has come to the Bocca Tigris, to await the reply of their Excellencies; and requests that the boat which conveys it to his ship may carry a white flag, so that it may be known she bears a message, and thus the chance of conflict be avoided.

(Signed) H. SMITH.

Inclosure 4 in No. 2.

Captain Smith to the various Commanders of War Junks.

Her Majesty's Ship Volage, *November* 3, 1839.

SMITH, commanding the English naval force, hereby sends information to the various Commanders. He has peremptorily to request that all their vessels instantly return to the anchorage north of Shakok. It will be well so to do.

(Signed) H. SMITH.

[Note.—This letter was written before it was known what officer was in command. Being delivered to the Tetuh (Admiral), it elicited the reply contained in the next Inclosure.]

Inclosure 5 in No. 2.

Open Paper from the Tetuh, sent by a linguist, at about 11 *h.* 45*m.* A.M. *November* 3, 1839.

THE linguist having returned on board, all that he had to represent for you has become known to me. At this moment, all that I, the Tetuh, want is, the murderous foreigner who killed Lin Weihe, a single individual. If Elliot will name a period in which he will deliver up the murderer, I, the Tetuh, will be in no way apprehensive in my requirements. As soon as a time is given in which the murderer shall be delivered up, the force can be immediately drawn back to the Bogue. Otherwise by no means whatever will I accede. This in reply.

True translation.

(Signed) J. ROBT. MORRISON,
Chinese Secretary and Interpreter.

Inclosure 6 in No. 2.

Captain Elliot to the Chinese Admiral.

Her Majesty's Ship Volage, *November* 3, 1839.

ELLIOT, &c., again and again solemnly repeats that he knows not the murderer of the native Lin Weihe; that he should have been punished if he had been discovered, and that he shall be punished if he be apprehended.

Elliot is a sincere lover of peace, and is not responsible for the consequences of present proceedings.

(Signed) CHARLES ELLIOT.

ADDITIONAL

PAPERS

RELATING TO

CHINA.

No. 1.

ORDERS IN COUNCIL.

(*Published in the* London Gazette *of December* 13, 1833.)

At the Court at Brighton, the 9th day of December, 1833.

PRESENT,

The King's Most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament, made and passed in the third and fourth year of His Majesty's reign, intituled, "An Act to regulate the trade to China and India," it is, amongst other things, enacted, that it shall and may be lawful for His Majesty, by any such Order or Order as to His Majesty in Council shall appear expedient and salutary, to give to the Superintendents in the said Act mentioned, or any of them, powers and authorities over, and in respect of, the trade and commerce of His Majesty's subjects within any part of the dominions of the Emperor of China; and to make and issue directions and regulations touching the said trade and commerce, and for the direction of His Majesty's subjects within the said dominions; and to impose penalties, forfeitures, or imprisonments, for the breach of any such directions or regulations, to be enforced in such manner as in the said Order or Orders shall be specified:

And whereas the officers of the Chinese Government, resident in or near Canton, in the Empire of China, have signified to the Supracargoes of the East India Company at Canton, the desire of that Government that effectual provision should be made by law, for the good order of all His Majesty's subjects resorting to Canton, and for the maintenance of peace and due subordination amongst them; and it is expedient that effect should be given to such reasonable demands of the said Chinese Government; Now, therefore, in pursuance of the said Act, and in execution of the powers thereby in His

Majesty in Council in that behalf vested, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, that all the powers and authorities which, on the twenty-first day of April, One thousand eight hundred and thirty-four, shall by law be vested in the Supracargoes of the United Company of Merchants trading to the East Indies, over and in respect of the trade and commerce of His Majesty's subjects at the port of Canton, shall be, and the same are hereby, vested in the Superintendents for the time being, appointed under and by virtue of the said Act of Parliament; and that all regulations which, on the said twenty first day of April, One thousand eight hundred and thirty-four, shall be in force touching the said trade and commerce, save so far as the same are repealed or abrogated by the said Act of Parliament, or by any Commission and Instructions, or Orders in Council, issued or made by His Majesty in pursuance thereof, or are inconsistent therewith, shall continue in full force and virtue; and that all such penalties, forfeitures, or imprisonments as might, on the said twenty-first day of April, One thousand eight hundred and thirty-four, be incurred or enforced for the breach of such then existing regulations, shall thenceforth be, in like manner, incurred and enforced for the breach of the same regulations, so far as the same are hereby revived and continued in force as aforesaid; and that all such penalties, forfeitures, or imprisonments, when so incurred, shall be enforced in manner following, that is to say, either by such ways and means by which the same might, on the said twenty-first of April, One thousand eight hundred and thirty-four, have been lawfully enforced, or by the sentence and adjudication of the Court of Justice established at Canton aforesaid, under and in pursuance of the said Act of Parlioment.

Provided also, and it is further declared, that the regulations herein contained are and shall be considered as provisional only, and as intended to continue in force only until His Majesty shall be pleased to make such further or other order in the premises, in pursuance of the said Act of Parliament, as to His Majesty, with the advice of his Privy Council, may hereafter seem salutary or expedient; in reference to such further information and experience as may hereafter be derived from the future course of the said trade.

And it is hereby further ordered, that the said Superintendents shall compile and publish, for the information of all whom it may concern, the several regulations hereby established and confirmed as aforesaid; and that such publication, when so made, with the authority of the said Superintendents, shall, for all purposes, be deemed and taken to be legal and conclusive evidence of the existence and of the terms of any such regulation.

And it is further ordered, that the said Superintendents shall, on the arrival of any British ship or vessel at the port of Canton aforesaid, cause to be delivered to the master, commander, or other principal officer of such ship or vessel, a copy of such regulations; and every such master, commander, or other officer, together with every other person arriving in, or being on board, any such ship, shall be bound, and is hereby required, to conform himself to such regulations.

And the Right Honourable Viscount Palmerston, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. C. GREVILLE.

At the Court at Brighton, the 9th day of December, 1833.

PRESENT,

THE King's Most Excellent Majesty in Council.

WHEREAS, by a certain Act of Parliament, made and passed in the third and fourth year of His Majesty's reign, intituled, "An Act to regulate the trade to China and India," it is, amongst other things, enacted, that it shall and may be lawful for His Majesty, by any such Order or Orders as to His Majesty in Council shall appear expedient and salutary, to create a Court of Justice, with criminal and admiralty jurisdiction, for the trial of offences committed by His Majesty's subjects within the dominions of the Emperor of China, and the ports and havens thereof, and on the high seas within one hundred miles of the coast of China, and to appoint one of the Superintendents in the said Act mentioned to be the officer to hold such Court, and other officers for executing the process thereof; Now, therefore, in pursuance of the said Act, and in execution of the powers thereby in His Majesty in Council in that behalf vested, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, that there shall be a Court of Justice, with criminal and admiralty jurisdiction, for the purposes aforesaid, which Court shall be holden at Canton, in the said dominions, or on board any British ship or vessel in the port or harbour of Canton, and that the said Court shall be holden by the Chief Superintendent for the time being, appointed, or to be appointed, by His Majesty, under and in pursuance of the said Act of Parliament.

And it is further ordered, that the practice and proceedings of the said Court upon the trial of all issues of fact or law to be joined upon any indictments or informations to be therein brought or prosecuted, shall be conformable to, and correspond with, the practice and proceedings of the Courts of Oyer and Terminer and Gaol delivery in England, upon the trial of such issues in such Courts, so far as it may be practicable to maintain such conformity and correspondence, regard being had to the difference of local circumstances; and especially, it is hereby ordered, that every such trial of any such issue of fact, or of mixed fact and law, shall be by the said Chief Superintendent for the time being, and a jury of twelve men, and that upon every such trial the examination of witnesses for and against the party or parties charged shall take place *vivâ voce* in open Court; and that the sentence or judgment of the said Court upon every such trial, founded upon the verdict of such jury, shall be pronounced in open Court by such Chief Superintendent, as the presiding judge thereof:

And whereas it will be necessary to frame and prescribe rules of practice and proceeding to be observed upon all such prosecutions, in order to ascertain how far the same can be brought into conformity with the practice and proceeding of His Majesty's Courts of Oyer and Terminer and Gaol delivery in England, and how far it may be necessary to deviate from such practice and proceeding, by reason of the differences of local circumstances, it is, therefore, further ordered, that such Chief Superintendent for the time being shall be, and he is hereby authorized from time to time, but subject to the provisions aforesaid, to promulgate all such rules of practice and proceeding as it may be necessary to adopt and follow, upon, or previously to, the commitment of any person to take his trial in the said Court, and respecting the taking of bail for the appearance of any such person at such trial, and respecting the form and manner of preferring and finding indictments, and of exhibiting criminal informations against any persons charged with any crimes or offences before the said Court; and respecting the manner of summoning and convening jurors for the trial of such indictments or informations; and respecting qualifications of such jurors, and the mode of summoning and compelling the attendance of witnesses; and respecting the process of the said Court, and the mode of carrying the same into execution; and respecting the times and places of holding such Courts, and the duties of the respective ministerial officers attending the same, whom he is hereby authorized to appoint provisionally, subject to His Majesty's approbation; and also respecting every other matter

and thing connected with the administration of justice therein, which it may be found necessary to regulate:

And it is further ordered, that all rules so to be promulgated as aforesaid, shall be binding and take effect from the respective days of the dates thereof; but that the same shall, by such Chief Superintendent, be transmitted to one of His Majesty's Principal Secretaries of State, for His Majesty's approbation or disallowance; and that any such rule shall cease to be binding, or to have any force or effect, from and after the time of which His Majesty's disallowance thereof shall be made known to such Chief Superintendent for the time being:

And it is further ordered, that a record shall be duly made and preserved of all the proceedings, judgments, and sentences of the said Court, which record shall be retained in the custody of an officer of the said Court, to be by the Chief Superintendent specially charged with the performance of that duty:

And the Right Honourable Viscount Palmerston, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. C. GREVILLE.

[A THIRD Order in Council, imposing duties on British ships and cargoes entering the port of Canton was issued and published at the same time with the two preceding Orders; but this Order never came into operation in China, having been rescinded by a subsequent one, dated March 5, 1834, and which was published in the Gazette of the 7th.]

No. 2.

Captain Elliot to John Backhouse, Esq.—(*Received December* 2, 1839.)

Sir, *Macao, July* 3, 1839.

I AM placed in the most responsible and embarrassing situation of issuing bills this day, at twelve months, upon the Lords Commissioners of the Treasury, in favour of Messrs. Dent & Co. for the heavy sum of 63,265 *l.* 18 *s.* 4*d.*, being the amount of 523 $\frac{58}{100}$ chests of opium supplied by that firm to make up the deficiencies of parties surrendering opium for the service of Her Majesty's Government, in terms of my public notice of the 27th March last.

The individuals thus supplied, however,—Heerjeebhoy Rustomjee with 406 $\frac{58}{100}$ chests, and A. and D. Furdonjee, with 117 chests,—have respectively surrendered, the first 1729 $\frac{37}{100}$ chests, and the second 634 $\frac{1}{4}$ chests, so that Her Majesty's Government will have ample means of replacing the advance at present drawn for, from the amount of indemnity hereafter payable to them.

With the purpose to afford time for the public arrangements consequent upon the late transactions in this country, I have drawn the bills at twelve months' date.

It should also be explained, that Messrs. Dent and Co. were enabled to furnish these means of fulfilling my public obligations, and to release the foreign community from their confinement at Canton, by the opportune arrival of a single ship from India with opium to their consignment, a few days before my departure from Canton. The rest of the shipping coming on to China with opium had remained at Singapore, to learn the result of the late crisis.

A copy of the letter which led Messrs. Dent and Co. to supply the opium is transmitted; and the deficient parties have also signed a declaration that they were unable to furnish it within a reasonable time; and further, that they have agreed to the price now fixed upon it, and consent that it should be abated from their general claim upon Her Majesty's Government.

The whole accounts connected with the surrender of this immense mass of property shall be transmitted by an early occasion, and I trust the great increase of detail business it has cast upon this office, will be a sufficient excuse for the delay.

Official receipts were taken from the Chinese officers for the respective parcels, and, at the close of the transaction, a general official receipt for the whole, of which a translation will be duly transmitted with the account.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

P. S.—The register of bills drawn is herewith forwarded.

Inclosure 1 in No. 2.

Captain Elliot to Messrs. Dent and Co.

Gentlemen, *Canton, May* 11, 1839.

WITH reference to the annexed copy of my circular of this date bearing your signature, it is understood that for any opium which may be surrendered by you under this notice, in excess of your own original surrender, I engage to indemnify you in the fullest manner, giving you the option of taking my receipt for the said opium, or requiring the parties whose deficiencies you may thus make up, to replace the opium here or in India at your option ; or in the event of their not doing so within a reasonable time, by bills upon Her Majesty's Treasury, of such price per chest as circumstances may show to be fair to all parties concerned.

I have, &c.,
(Signed) CHARLES ELLIOT.

Inclosure 2 in No. 2.

Declaration of Heerjeebhoy Rustomjee, and Ardaseer and Dinshaw Furdonjee.

WE the undersigned British subjects and merchants lately settled at Canton, do most solemnly and sincerely declare, that it is not in our power to furnish opium here to Messrs. Dent and Co. in satisfaction of the amount supplied to make up our respective deficiencies by that firm, viz. :

Heerjeebhoy Rustomjee, (406 $\frac{58}{100}$) four hundred and six chests and fifty-eight hundredths.

Ardaseer and Dinshaw Furdonjee, (117) one hundred and seventeen chests.

And Messrs. Dent and Co. having refused our offer of receipts for fullest indemnity founded upon the securities of our claims upon Her Majesty's Government, or our promise to furnish an equal quantity of opium in India, we do further declare that we have agreed to the price of 500 dollars per chest for the quantities respectively supplied to us. And we do further solemnly and sincerely declare, that we fully and unreservedly consent that the amount now to be drawn on the Lords Commissioners of the Treasury in bills of twelve months' date, at the rate of 4 *s.* 10 *d.* per Spanish dollar, in favour of Messrs. Dent and Co. should be abated from our respective claims against Her Majesty's Government for opium surrendered to the Chief Superintendent, in terms of his Public Notice of the 27th March last, namely :

Abatement from the claim of Heerjeebhoy Rustomjee, forty-nine thousand one hundred and twenty-eight pounds, eight shillings, and fourpence, (49,128 *l.* 8 *s.* 4 *d.*), or two hundred and three thousand, two hundred and ninety Spanish dollars, (203,290 dollars), at the rate of 4 *s.* 10 *d.* per Spanish dollar, being for 406 $\frac{58}{100}$ chests of opium, at the rate of 500 dollars per chest, supplied by Messrs. Dent and Co.

Abatement from the claim of Ardaseer and Dinshaw Furdonjee, fourteen thousand one hundred and thirty-seven pounds, and ten shillings, (14,137 *l.* 10 *s.* 0 *d.*), or fifty-eight thousand and five hundred Spanish dollars (58,500 dollars,) at the rate of 4 *s.* 10 *d.* per Spanish dollar, being for 117 chests of opium, at the rate of 500 dollars per chest, supplied by Messrs. Dent and Co.

(Signed) HEERJEEBHOY RUSTOMJEE.
A. and D. FURDONJEE.

Declared and executed in my presence this Twenty-seventh day of June, in the year of our Lord One Thousand Eight Hundred and Thirty-nine.

(Signed) CHARLES ELLIOT.

Inclosure 3 in No. 2.

Register of Bills drawn on the Right Honourable the Lords Commissioners of Her Majesty's Treasury, by Captain Charles Elliot, R. N., Chief Superintendent of the Trade of British Subjects in China, and payable at twelve months' sight.

No.	Date.	To whom payable.	Rate.	Amount.
			s. d.	*£. s. d.*
1	Macao, July 3, 1839.	Dent and Co.	4 10	1,254 14 8
2	"	"	"	3,128 8 5
3	"	"	"	720 13 7
4	"	"	"	592 8 0
5	"	"	"	673 3 7
6	"	"	"	2,671 2 8
7	"	"	"	385 9 2
8	"	"	"	1,388 1 0
9	"	"	"	5,385 9 0
10	"	"	"	1,711 0 0
11	"	"	"	2,281 6 8
12	"	"	"	2,242 13 4
13	"	"	"	6,271 5 0
14	"	"	"	2,315 3 4
15	"	"	"	1,208 6 8
16	"	"	"	604 3 4
17	"	"	"	30,432 9 11
				£. 63,265 18 4

We do hereby certify to have received from Captain Charles Elliot, R. N., Chief Superintendent, the Bills enumerated as above, amounting to 63,265 *l.* 18 *s.* 4 *d.*

(Signed) DENT and Co.

Macao, July 3, 1839.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 3.

Captain Elliot to Viscount Palmerston.—(*Received March* 23, 1840.)

Ship Fort William,
My Lord, *Hong Kong, September* 30, 1839.

THE Inclosure No. 1, to the address of the Portuguese authorities at Macao, which has reached me through a private channel, will enable your Lordship to form a clear judgment of the circumstances under which the British community was lately driven forth from Macao.

The Inclosure No. 2 is a second note which I addressed to his Excellency, claiming refuge and protection for the Queen's subjects, (the first upon that subject transmitted in my despatch, dated 3rd instant), and the Governor's reply forms No. 3 of this series.

The Inclosure No. 4 is the Edict which this Government issued upon the subject of the affair at Kowlung.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 3.

The Local Officers to the Procurador of Macao, announcing the intended visit of the Commissioner and Governor.

TSEANG, acting Keun-Min-Foo, &c., and Pang, the assistsng Magistrate at Macao, address these commands to the foreign Chief, Vereador, for his full information.

We have received from his Excellency the Imperial Commissioner a reply to our representation, that the English foreigners had, one and all, left Macao, and that the Portuguese Governor and Procurador had ably and strenuously aided in their expulsion, and faithfully repressed disorder. The reply is to this effect:

"That the Portuguese Governor and Procurador having thus ably obeyed the commands for their expulsion, evinces the respectful sense of duty of those officers, and merits commendation. I, the High Commissioner, in company with the Governor, will personally repair to Macao, to soothe and to encourage. And you are required to pay instant obedience hereto, by making this intention known to them."

Having received this, as also a notification from the officer, of arrangements, that the two high officers had resolved to start from Heang-shang on the 31st of August, at 6 P. M., and will enter Macao at the same hour, on the 1st of September, we proceed, in consequence, to issue these commands. When these reach the said Procurador, let instant obedience be paid; and on the day afore-named, let him be in waiting to receive their Excellencies, and especially attentive to the forms of etiquette, and a respectful sense of duty. Thus the minds of their Excellencies will be refreshed. Let there be no remissness or negligence. A special command and earnest injunction.

Taoukwang, 19th year, 7th month, 21st day (29th August, 1839).

True Translation.
(signed) J. ROBERT MORRISON,
Chinese Secretary and Interpreter.

Inclosure 2 in No. 3.

Captain Elliot to the Governor of Macao.

Ship Fort William,
Hong Kong, September 12, 1839.

THE Undersigned, &c., &c., has the honour to inclose the notice of the blockade of the Port and River of Canton, forwarded to him yesterday by the Captain of Her Britannic Majesty's ship, *Volage*, with a request that it might be transmitted to your Excellency.

In the name of Her Britannic Majesty's Government, he takes this occasion once more to request refuge for the British merchants and their families at Macao: neither can he think that the Chinese authorities would seriously consider the protection of a handful of men, women, and children, to be a breach of that neutrality which your Excellency desires to observe in the struggles between the British and the Chinese Governments, or to incur the risks of serious disputes both with the Courts of Great Britain and Portugal, by acting upon pretensions so hostile to both, and so flagrantly insulting to your Excellency's Government.

A calm and steady resistance to such movements, is due to the interests of humanity and civilization, to the close friendship which susbists between the Crowns of Portugal and Great Britain, and to the honour and dignity of Her Most Faithful Majesty, deeply injured by this arrogant and unjust dictation of the Chinese authorites, and by the charge that the Portuguese Government of Macao participated in measures of unprecedented inhospitality and enmity against

against the subjects of that Power, which has ever been the fastest friend of Her Most Faithful Majesty and Her illustrious ancestors.

If your Excellency, taking into your consideration the present interruption of trade by the Bocca Tigris, should further be pleased to permit British cargoes of lawful produce to be deposited at Macao, on payment of the usual duties, the Undersigned is sure that the friendliness and wisdom of the act would not be lost upon the Government of Great Britain. And he believes that it would be the gracious purpose, and within the power of Her Britannic Majesty permanently to secure the advantages of such a course of trade to the settlement, to its immense prosperity.

Such a measure, he takes the liberty to suggest to your Excellency, may be of just and easy explanation to the Chinese Government, upon the grounds that the Port of Macao is not blockaded, and that it cannot be otherwise than convenient to both Powers friendly to Portugal, that the cargoes should be landed there; and that it would be difficult to refuse such a facility to the British Government, without incurring the risks of discussions calculated to disturb that strict neutrality which it is your Excellency's wish to maintain.

The Undersigned avails himself of this occasion to renew to your Excellency the sentiments of his highest consideration.

(Signed) CHARLES ELLIOT.

Inclosure 3 in No. 3.

The Governor of Macao to Captain Elliot.

Macao, 14 *de Setembro*, 1839.

O ABAIXO assignado Governador de Macao e suas dependencias, accuza a recepção da nota que lhe dirigio S. Sra. o Señor Charles Elliot, Superintendente do Commercio Britanico na China, de 12 do corrente, em que lhe transmitte a noticia official do bloqueio do porto e rio de Cantão, declarado tal pelo Commandante da curveta de Sua Magestade Britanica *Volage*, e pois que S.S. sem fazer menção de haver recebido a sua nota de 3 do corrente, insta de novo para que os negociantes Britanicos, e suas familias voltem para Macao he justo, e mesmo precizo que o abaixo assignado de novo pondere a S.S. que não pode conceber como S.S. que em 21 do mez proximo passado declarou que se retirava para não comprometter este estabelecimento, insinuando a todos os demais subditos Britanicos a fazerem o mesmo, siga hoje huma diversa doutrina quando mais fortes razões há para sustentar a primeira deliberação, achando se S.S. já em hostilidades com o Governo Chinez, e conhecendo bem a natureza das convenções que mantem este estabelecimento no dominio de Suą Magestade Fidelissima, assim como o caracter altivo, e desconfiado d'aquella Governo, e o modo despotico com que elle sabe fazer executar as suas determinções. S.S. sabe muito bem que com huma só chapa de qualquer Mandarim China os mantimentos, e mais soccorros serião em hum instante retirados a todos os habitadores de Macao se assim se lhe antolhasse, nem S.S. que tem já experimentado quanto elles são rigorozos, e fortes em semelhantes medidas pode duvidar de que serião infructuozos todos os dezejos que o abaixo assignado tenha, e mesmo a obrigação em que se ache collocado de prestar toda a hospitalidade a subditos de huma nação que he a mais antiga alliada de Portugal, e S.S. e os seus concidadãos nada mais obterião alem do dissabor infalivel de verem todos os Portuguezes, e mais estrangeiros reduzidos a essas terriveis circunstancias a que S.S. os esquivou com a sua voluntaria retirada, sem lembrar outras consequencias mais fataes, e de maior transcendencia para a nação Portugueza. O abaixo assignado já mais daria huma ordem para que os subditos de Sua Magestade Britanica que na sua descida de Cantaõ se acolherão a sombra do pavilhão Portuguez, fossem delle arrancados contra sua vontade (e alguns ainda ahi se achão que podem garantir esta asserção), e por mais de huma vez elle expressou a SS. as suas tenções a tal respeito, e a tudo a que se achava disposto, mas

então S.S. julgou que todo o povo de Macáo não devia soffrer, e que a sua retirada era necessaria, e hoje há abundancia de razão para se manterem taes dispozições igualmente salutares, convenientes, e necessarias para ambas as nações.

A proposta que S.S. faz da introducção das fazendas em Macao seria bastante vantajoza se ella podesse chegar a effeito, e o abaixo assignado por si, e conjunctamente com o Leal Senado tratará com gosto hum tal arranjo, attendendo sempre as instrucções do seu Governo, e mesmo a concessão do Governo Chinez com quem ha convenções a tal respeito, que S.S. não ignora, sendo que o abaixo assignado quando se lhe offereça algum meio proprio lançara com gosto mão delle. Se essas fazendas fossem introduzidas hoje, sem outros precedentes, a ruina dos commerciantes Portuguezes, que já tem soffrido extraordinariamente com a extagnação do commercio, seria infalivel, e eos subditos Britanicos nada aproveitarião. O abaixo assignado não pode deixar de significar os seus bem fundados receios que hum tal estado ha de continuar pelas medidas ultimamente adoptadas em nome de Sua Magestade Britanica, tendo aliás as mais favoraveis prezumpções de que as difficuldades commerciaes se achavão quazi aplanadas, do que rezultaria igualmente bem para os Inglezes, como para os Portuguezes. Pelas razões ponderadas sente amargamente o abaixo assignado não poder annuir por ora a requizição que S.S. a prezenta em a sua já citada nota, e approveita a occazião de renovar a S.S. as expressões da sua mais perfeita consideração e respeito.

(Firmado) *O Governador,*
ADRIAO ACCACIO DA SILVEIRA PINTO.

(Translation.)

Macao, September 14, 1839.

The Undersigned, Governor of Macao and its dependencies, has to acknowledge the note addressed to him by the Chief Superintendent, dated on the 12th instant, in which he conveys official notice of the blockade of the River and Port of Canton, declared by the Captain of Her Britannic Majesty's sloop *Volage*, and then, without mentioning having received his note of the 3rd instant, again proposes that the merchants, British subjects, with their families, should return to Macao. It is proper and even necessary, that the Undersigned should again impress upon the Superintendent that he cannot conceive how, having on the 21st ultimo declared that he retired in order to avoid compromising this establishment, and having recommended the rest of the British subjects to do the same, he should now hold a different opinion, when stronger reasons exist for sustaining the first determination,—finding himself in actual hostilities with the Chinese Government, and well knowing the nature of the Conventions which maintain this establishment under the dominion of Her Most Faithful Majesty, as well as the haughty and jealous character of that Government, and the despotic manner in which it executes its measures. The Superintendent is well aware that a single chop from any mandarin whatsoever, will be sufficient to cut off the supply of all provisions and necessaries of life from the inhabitants of Macao, in one instant, if they pleased; nor can the Superintendent, who has himself experienced how vigorous and severe they are in executing such measures, doubt, that all the wishes of the Undersigned, and even the duty on his part to afford every hospitality to the subjects of a nation, the most ancient ally of Portugal, would be fruitless, or that the Superintendent and his compatriots would reap any thing except the infallible regret of seeing all the Portuguese and other foreigners, reduced to those terrible straits from which he had rescued them, by his voluntary withdrawal: not to think of other consequences, more fatal, and of greater importance, to the Portuguese nation. The Undersigned would never have given an order that the British subjects who took shelter under the Portuguese flag, after their departure from Canton, should be torn therefrom against their will (and some here still residing can prove this assertion); and more than once expressed to the Superintendent his

intentions

intentions on this point, as well as on all that he was disposed to do. But, nevertheless, the Superintendent thought that the whole population of Macao ought not to suffer, and that his departure was necessary; and there are at this moment, abundant reasons for continuing in the same line of conduct, alike salutary, convenient, and necessary for both nations.

The Superintendent's proposition for the introduction of merchandize into Macao, would be most advantageous, could it be acted upon. And the Undersigned himself, and in conjunction with the Loyal Senate, will willingly enter into such an arrangement, always keeping in view the instructions from his own Government, and also the permission of the Chinese Government, with which Government there are Conventions upon the subject, of which the Superintendent is not ignorant; at the same time, the Undersigned will willingly seize any proper means which may be offered to him. Were merchandize introduced at the present moment, without any preparatory measures having been taken, the ruin of the Portuguese merchants, who have already suffered much from the stagnation in trade, would be infallible, while British subjects would derive no benefits. The Undersigned cannot but express his well-founded fears, that a like state will continue, by the measures lately taken in Her Britannic Majesty's name, having otherwise the most favourable presumptions that the commercial difficulties were nearly levelled, the result of which would be productive of equal benefit to the English and Portuguese. For the reasons above stated, the Undersigned deeply regrets that it is not in his power to assent, in the meantime, to the request which the Superintendent has made in his before-mentioned note. And he avails himself of this occasion to renew to him the expressions of his most perfect consideration and respect.

(Signed) *The Governor,*

ADRIAO ACCACIO DA SILVEIRA PINTO.

Inclosure 4 in No. 3.

Proclamation from the Commissioner and the Governor, addressed to the Foreign Merchant Vessels, in reference to the affair at Kowlung.

LIN, High Imperial Commissioner, &c., and Tang, Governor of the two Kwang, &c., for the purpose of giving clear commands to the foreign merchant vessels, that they may seek to escape misfortune.

The English foreigner, Elliot, having in repeated instances withstood and opposed the laws; having concealed and failed to deliver up a murderer; having prevented the merchant vessels from entering the port; having ruled and directed extensive sales of opium; the charge of crime against him is most clearly established, as by our reiterated Proclamations and clear commands we have already shown.

Now, on the 4th of September, he had the daring presumption to send a number of vessels of various size to Kowlung, and directed them to fire upon and attack the naval cruizers. Between noon and eight P. M., they had several encounters, and wounds were inflicted on the Government soldiery. In this, since he has come forward to seek a quarrel, we, the Commissioner and the Governor, cannot but command the assembling of the powerful companies of the army and navy from the several regiments and squadrons, that they may combine in an attack of extirpation, and place [his] life in our hands*. Let it be

* In Chinese the pronoun is seldom expressed; but the context seems here to require the insertion of "his" before "life," in the translation.

be asked, though the foreign soldiers be numerous, can they amount to one ten-thousandth part of ours? Though it be allowed that the foreign guns are powerful and effective, can their ammunition be employed for any long period, and not be expended? If they venture to enter the port, there will be but a moment's blaze, and they will be turned to cinders! If they dare to go on shore, it is permitted to all the people to seize and kill them. How can these foreigners then remain unawed!

Do but consider, all you who have brought commodities hither, that the object of your coming is trade. Already, by Elliot's hindrance of your entering the port, your goods must have suffered from mould and decay, and great must have been the loss upon the outlay! And now, if you attend to him, and follow him in perverse resistance, the gems and the common pebbles [that is, the good and the bad], will be consumed together. It will be impossible to turn aside to show indulgence. Let all then speedily separate themselves, and not incur cause for future repentance.

A special proclamation.

Taoukwang, 19th year, 7th month, 29th day (6th September, 1839).

True Translation.

J. Robert Morrison,

Chinese Secretary and Interpreter.

No. IV.

ADDITIONAL

PAPERS

RELATING TO

CHINA.

No. 1.

Captain Elliot to Viscount Palmerston.—(*Received March* 27, 1840.)

Her Majesty's Ship Volage,
My Lord, *Tongkoo, November* 16, 1839.

THE series of papers commencing with No. 2, is the whole correspondence which took place between the officers of the Chinese Government and myself, upon the subject of the late arrangement, broken up in consequence of the entrance of the ship *Thomas Coutts* within the Bocca Tigris.

The complete relaxation of the interdict against the supply of provisions at Hong Kong, which followed the affair at Kow Lune, reported in my despatch of the 5th of September, and information that the Commissioner was alarmed at the protracted continuance of difficulties, led me to infer that communications might be opened with advantage. But the circumstance which mainly influenced me, was the burning of the Spanish brig *Bilbaino*, under the impression that she was an English vessel engaged in the illicit traffic in opium.

It seemed to me that this event would make an impression upon the high officers; and though I was aware their Excellencies would never recede from the public declaration, that the vessel either was or lately had been English, and engaged in the opium traffic (utterly untrue as either assertion is) still I thought that they would be disposed to put an end to a state of things productive of fatal mistakes, to be covered by false reports to the Court, which sooner or later must be exposed to the Emperor to their own certain ruin.

The inclosure No. 1, is an extract of a private letter from a gentleman in my office, written the day after the outrage occurred, and contains a brief and clear statement of the affair.

In considering the Commissioner's communications, I would take the liberty to draw your Lordship's particular attention to the manner in which the unfortunate homicide of the 7th July is treated lightly, or put prominently forward, as political convenience may dictate.

When the purpose to be gained was, to find a pretext for the instant and violent ejection of the whole British community from Macao, the homicide was the convenient motive: when a state of peace was to be restored, and the direct British trade was to be renewed, it was easy for his Excellency to relieve the

general community from the apprehension of consequences upon that account; and then the whole weight of vengeance was to be cast upon the ship supposed to contain the murderer.

When fresh instructions arrive from the Court, pressing for the signing of the Bond of consent to the infliction of capital punishment by Chinese forms of trial, and when the entrance of the ship *Thomas Coutts*, upon those conditions, leads the Commissioner to believe that such a state of things is possible, the homicide is again drawn forward to serve a general purpose: and the delivery of a man (which he knows to be out of the question) or the signing of the Bond, are declared to be indispensably necessary, before the British merchants and families can be allowed to reside on shore in peace and safety, or before the menaces of destruction against the whole fleet can be withdrawn.

Another most remarkable fact, connected with this case of homicide, requires to be noticed. Every previous instance which has fallen under the attention of the Chinese authorities, I believe without exception, has been followed by a stoppage of the trade till the affair was adjusted: but on this occasion, the trade has proceeded uninterruptedly; and the Commissioner has repeatedly dispatched linguists and pilots to the British ships, with instructions to urge the commanders by every species of encouragement to go up. A remission of duties was offered, and guarantees that they should not be disturbed on account of the murderer, or on account of the proceedings of smugglers on the coasts, if they would proceed within the Bocca Tigris, and sign the Bond of consent. But, my Lord, the object of all this eagerness is too plain to escape attention. The Commissioner desires to get such a number of British subjects and ships within his grasp, as may enable him to control proceedings without, by pressure upon property and persons within. He feels, with perfect justice, that direct efforts against the smugglers, upon any sufficiently extensive scale, are out of his power; and hence the anxiety to draw the regular trade within his reach, and to fix a close embargo upon that, till he can succeed in working out his purposes against the illicit traffic.

I pass by, however, these attempts to work out such objects by such means to arrest your Lordship's attention to the strong reason there certainly is to believe, that the condition of these provinces does not admit of a protracted stoppage of the foreign trade.

If the merchants and ships had indeed been within the river, a stoppage of trade would no doubt have ensued: but it would have been of brief duration; and imposed only as a pretext for imprisoning the whole community, till the Hong merchants had succeeded in purchasing a slave at Macao, or inveigling some wretched lascar and delivering him up as the murderer of Lin-Weihe. I say this, my Lord, because such means of settling the difficulty were repeatedly suggested to me by the Chinese during the course of the late negotiations at Macao.

Indeed, in one instance, as your Lordship will observe, the Mandarins endeavoured, by means of questions put through the Linguist to make me state, that a man found drowned at Hong Kong a few days before was the murderer. They urged me to say, that I sincerely thought that was the individual; and held out the strong assurance, that it would then be in their power to satisfy the Commissioner and Governor; so anxious were their Excellencies at that time to adjust affairs, at every sacrifice of truth, decency, or reason: always saving the principle that they had a right to a man, and that I was ready to have delivered the murderer to them but for this accident or suicide.

The monstrous proposition that I should deliver into his Excellency's hands, five men convicted of the offence of rioting, to the end that he might detain and execute one in satisfaction for Lin-Weihe, whom they never saw dead or alive, furnishes a remarkable practical comment upon the insecurity of Chinese judicial proceedings against foreigners, shut out from all appeal to the higher tribunals of the Empire.

In dismissing this subject, my Lord, I can solemnly declare, that my conscience acquits me of any purpose to trifle with the sacred obligations of justice. I have proceeded to the uttermost verge of my authority, if I have not exceeded it, in the attempt to discover and bring to justice the murderer

of

of this innocent native; and, in my deep public and private anxiety and distress, that consciousness is a support to me.

The Commissioner's accusations to the contrary, occasion me no uneasiness; and I am, in like manner, unaffected by his charge of countenancing the illicit traffic in opium.

If my private feelings were of the least consequence upon questions of a public and important nature, assuredly I might justly say, that no man entertains a deeper detestation of the disgrace and sin of this forced traffic on the coast of China than the humble individual who signs this despatch. I see little to choose between it and piracy; and in my place, as a public officer, I have steadily discountenanced it by all the lawful means in my power, and at the total sacrifice of my private comfort in the society in which I have lived for some years past.

But, whilst I have endeavoured to fulfil my duty to Her Majesty's Government in the public course of repression I have pursued, it did not consist with my station to sanction measures of general and undistinguishing violence against Her Majesty's officers and subjects; and to a mode of working out objects, right or wrong, which set all the obligations of moderation and justice at defiance.

I have resisted the Commissioner's actual demands, because they were utterly unjust, and because their concession would have involved the abandonment of principles, which can never be yielded by a British officer, with any hope of maintaining a safe or honourable footing for British trade in this country. I venture to observe, too, that it is a great misfortune to me, who have always endeavoured to accommodate myself to the character and genius of this Government, as far as I could with due regard to my duty, that this crisis and this crowd of difficulties should have probably cast upon me, in the minds of partially informed persons, an appearance of opposition, and, it may be, of unreasonable opposition to the independence and just will of a Government, in whose territory I am officially residing.

Let me hope your Lordship will see reason to shield me from imputation of this description. I have resisted nothing but the demand for a man, in satisfaction for the murdered native,—having wholly failed to discover by whom the crime was committed; and the signing of a bond of consent to Chinese penal legislation. I have never denied the right of the Chinese Government to make and execute what laws it sees fit; but only an act of consent perfectly unusual and unnecessary, and which could serve no other purpose than to deprive Her Majesty's Government of all room for appeal, whenever high Chinese authorities committed confiscation and murder by mistake,—consequences of unavoidable incidence, because of the isolated situation of the Chinese with respect to us, and not from any general wickedness of disposition. In ninety-nine cases out of a hundred, connected with foreigners, which are submitted to high Chinese authorities, their determination must be taken upon the report of low and corrupt officers; and the higher functionaries are not in a situation to detect error, or to repair it when made.

The instance of the *Bilbaino* affords a notable proof of this position: to this hour, the Commissioner has answered all appeal for redress, with bold assertions that the statements are grossly false; and with demands to the Portuguese authorities to seize the complaining Consignee, and send him to his Excellency for exemplary punishment. In the mean time, the wretched individuals taken out of her remain in Chinese custody.

The propositions I made to the Commissioner, No. 7, will, I trust, satisfy Her Majesty's Government, that I was prepared to afford the Commissioner reasonable satisfaction; and I hope that the effectual separation of the lawful trade from the lawless traffic, upon which that scheme was based, will be thought safe and right.

I have, &c.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 1.

Extract of a Private Letter relating to the burning of the Bilbaino.

Macao, September 13, 1839.

I BEG to inform you that the Spanish brig *Bilbaino* anchored in the Taipa, was yesterday morning, at about 5 o'clock, assaulted by four Chinese fire-boats, and instantly surrounded by four men-of-war junks (who fired upon her), together with a great number of Mandarin boats, whose crews boarded the brig, robbed her of every thing on board, and then set her on fire. The Manilla men, who were at this time entirely defenceless, jumped all overboard, and arrived at Macao at half-past 9 o'clock. The Second Mate, a Spanish young man, and two Seacunnies, were carried off by the Mandarins,—the former in chains. The Captain was not on board, as since he arrived here he has been sick at Don Gabriel de Yruretagoyena's, to whom the vessel was consigned.

The *Bilbaino*, during this outrage, had the Spanish flag hoisted, which the Chinese carried away too with them. The vessel sunk down at 6 P. M.

The *Bilbaino* had no cargo; she came from Manilla to receive some cargo here.

I have, &c.

(Signed) L. D'ALMADA E CASTRO.

Inclosure 2 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, September 14, 1839.

ELLIOT has now arrived at this place in the cruizer of his nation, and desires to open communications with the Honourable Officers concerning affairs of importance.

For many years, Elliot has transacted business with the High Officers of this Province with faithfulness; and what can he desire but peace and good will?

With compliments, &c.

(Signed) CHARLES ELLIOT.

Inclosure 3 in No. 1.

The Keun-Min-Foo to Captain Elliot.

TSEANG, Keun-Min-Foo at Macao, gives commands to the English Superintendent Elliot, for his full information.

Upon the 14th instant, the Portuguese Chief Procurador, presented to me, on behalf of the said Superintendent, a memorandum; on perusing which I found that it expressed a desire for peace. The Portuguese head of the military (the Governor of Macao), &c., also represented verbally, that the said Superintendent had charged them to request of me, on his behalf, instructions as to the orders that the officers have to give regarding the arrangement at this present of the English foreigners' affairs. Thereupon, I, the Keun-Min-Foo, addressed a representation to their Excellencies the Commissioner and the Governor; and now I have received a series of conditions, plainly declared, which I am commanded to require of the said Superintendent speedily to comply with; and on each of which he is with all truthfulness to reply. While transmitting these conditions to the said Portuguese foreign Chief, to be handed over to the Superintendent for his perusal, I also address these commands directly

directly to him. Upon these reaching the said Superintendent, let him immediately pay implicit obedience to the several conditions proclaimed; and make haste to answer me, that I may be enabled to report to their Excellencies for their decision.

This is a concern of life and death; and if peace be desired, it is here to be found. If there be the least evasiveness, and indulgence of vain expectations, repentance will be afterwards unattainable. Let the said Superintendent respectfully attend to this special command.

Annexed is a paper of conditions enjoined by their Excellencies the Commissioner, and the Governor.

Taoukwang, 19th year, 8th month, 13th day (September 20, 1839).

True Translation.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 4 in No. 1.

Four Propositions or Conditions of Amicable arrangement, forwarded in the name of the Commissioner and Governor.—(Received September 22, 1839.)

PARTICULARS regarding which Commands are to be enjoined.

First.—I, the High Commissioner, came to this province by the special command of the Great Emperor, that we, the Commissioner and the Governor, might unite in the entire extirpation and eradication of opium; and it is all requisite that the foreign ships should wholly cease to bring opium, ere we can stay our hands. Although there have before been delivered up upwards of 20,000 chests, yet the ships that have this year come, have again brought large quantities; and hence Elliot first asked that cargoes might be laden at Macao, indulging the hope of avoiding examination; and after our reply to him had refused permission, he then kept back all the vessels with merchandize, making them anchor in Hong Kong Bay, doubtless for the clandestine selling of opium, as has been clearly and fully proved by the evidence of traitorous Chinese, who have been apprehended for clandestinely purchasing it. How can such conduct be treated with indulgence? If now, indeed, he is with truthfulness of heart inclined to reform, and desires to establish a permanent and honourable commerce, let him speedily take the opium on board all the ships, and having clearly ascertained the total amount, deliver it up. If it be still kept on board the vessels, it will only remain to set fire to and burn the whole, that the hurtful thing may be for ever put away.

This mode of conducting the matter has been already laid plainly before the Great Emperor. Let the said foreigner with trembling fear consider it!

Secondly.—The murderous foreigner, whose blows caused the death of Lin-Weihe, was a sailor on board an English ship. This has before been surely ascertained by the evidence of all. And the Americans, too, have clearly discriminated it. It has besides been learned, that Elliot has detained in custody, on board ship, several foreigners, who having landed, did, in the intoxication of drunkenness, create disturbance there. If among these several men, it is not in his power to distinguish with certitude the actual murderer, what is there to prevent his sending them to the officers of the Celestial Empire, requesting them to try them for him? one only being kept to answer for the crime, the others will then at once be sent back. This is the established rule whereby the Celestial Court guides its proceedings in cases of homicide, free alike from injustice and from indulgent laxity. If still contumacy and disobedience be continued, it will be but a small matter as far as regards the escape of a single individual from the net [of the law]; but the criminal conduct of outer foreigners in destroying the laws, it will be hard to suffer. It will remain only to proclaim this criminality to require its punishment, and to proceed to severest measures of extermination, that the national laws of the Celestial Empire may be vindicated. Let the said foreigner with trembling fear consider this!

Thirdly.—The names and numbers of the store-ships, and the surnames and names of the depraved foreigners who should be expelled, have all been plainly laid before the Great Emperor; and his pleasure has been declared that they should be driven forth. Excluding from consideration those who having gone need not further be inquired about, the store-ships and depraved foreigners that have not yet gone, are doubtless thus contumaciously delaying with no other object than that of procuring their sales of opium. Opium brokers who have been apprehended, have upon trial proved this to be the fact; and towards the putting away of this evil, the store-ship *Tanshina* (Virginia) has been burnt. All the other store-ships ought to be excited to dread and fear, and should immediately go outside the Grand Ladrone. All the depraved foreigners, too, ought immediately to embark on board them and go back again. If, after their departure, they really learn to reform and repent, and come again to this province to conduct an honourable trade, it shall be still allowed them, on plainly and openly reporting the name of the vessel or the person, to begin a new life. At this time, it is wholly impossible to let them resist the commands and continue to delay. If there be opposition, the vessels shall be burned in like manner with the vessel *Tanshina*, and the depraved foreigners that still linger shall be severally seized and tried. Let the said foreigner with trembling fear consider this!

Fourthly.—Since the ships with merchandize will neither proceed to Whampao, nor yet set sail back again, how can they be suffered long to continue anchored in Hong Kong Bay, which is in the waters of the Celestial Empire, thereby enabling them still to sell and scatter abroad the newly-arrived opium, and to continue incessantly to introduce a baneful poison! Moreover, the homicide of Lin-Weihe was a result of their protracted anchorage there. Instead of then delivering up the murderer, they proceeded to embark on board of merchant vessels guns and other weapons, with the intention and purpose of creating disturbance; and when once their supplies had been cut off, Elliot immediately, upon the 4th of September, led a number of vessels to Kow-Lune, to trouble and disturb, opened the first fire, and wounded our Governmental soldiery. In this he came himself to commence the quarrel, and the defeat on this occasion was of his own getting. Having thus blindly rushed on a trial, how can he yet remain ignorant of the acute hurtfulness [of contest]. In reference to the merchant vessels assembled at anchor, Elliot has solicited a modified arrangement. We, the Commissioner and the Governor, do not refuse such modified arrangement. But, it appears, he has stated that it is necessary for him to wait till his country's Sovereign writes back. He should first, then, state clearly, in a reply to us, when his letter went from this country; when the letter will come from that country; and on what month and day, at the earliest, it will be possible for it to be received.

If, then, he indeed act obediently upon each of the three before stated particulars, it will of course not be difficult to determine to grant such favours as will cause the lawful cargoes to be speedily disposed of and sold.

Upon the several particulars above, let a reply be returned on the day of receipt of these commands, either sending it to the office of the Keun-Min-Foo, at Macao, to be forwarded, or proceeding to Chuenpee, to present it there. In either case, its receipt will be allowed and its matter examined. If there be delay, and no answer be returned, beyond the middle decade of this 8th month (the end of September), then shall the martial valour of the naval and military forces be all led forth, the offence proclaimed, and its punishment required. Repentance will then be fruitless. Let the said foreigner with trembling fear consider this!

True translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 5 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Hong Kong, September 22, 1839.

ELLIOT, &c., has this day received the Keun-Min-Foo's communication of date the 20th instant, with a paper of conditions, enjoined by their Excellencies the Commissioner and the Governor, therein inclosed. Elliot, being most earnestly solicitous to meet the wishes of the Emperor for the entire stoppage of an illegal trade, will proceed at once to Macao to confer with the Keun-Min-Foo, regarding these propositions, so that that officer may be enabled to report his answer to their Excellencies.

Elliot is always ready to receive the commands of the high officers; but it has never been his practice to receive documents from the Keun-Min-Foo styling themselves commands: and he has to request that that word may not in future be made use of.

(Signed) CHARLES ELLIOT.

Inclosure 6 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, September 23, 1839.

ELLIOT, &c., had yesterday the honour to receive and to reply to a communication from the Keun-Min-Foo.

He has now arrived at Macao for the purpose of conferring upon the several propositions; and has to request that a time may be appointed for such conference.

(Signed) CHARLES ELLIOT.

Inclosure 7 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, September 24, 1839.

ELLIOT proceeds to reply, with respect and faithfulness, to the several propositions transmitted to him through the Keun-Min-Foo, by the command of the high officers, under date of the 20th September.

Concerning the delivering up of opium in any English vessels, Elliot, who has never deceived their Excellencies, solemnly declares that there ought not to be one catty on board of any English ship at their present anchorage, for he has already taken severe and admonitory measures in that respect, requiring the departure from this coast of all English vessels actually engaged in the opium traffic.

The flag of his Sovereign does not fly in the protection of a traffic declared to be unlawful by the Great Emperor; and, therefore, whenever the honourable officers desire to examine all, or every particular ship or vessel suspected to have opium on board, Elliot will take care that they are accompanied by officers of his Establishment; and, if after strict search, any be found, assuredly Elliot will not presume to offer the least objection, though the whole cargo be immediately seized and confiscated.

Again, if it shall be proved that the English merchants to whom any English ship belongs, or is consigned, be concerned in the profits of the sale of opium on board of her, and fail to declare the same to Elliot, to the end that it may be reported to the honourable officers, he will assuredly make no appeal on their behalf if the whole firm be immediately expelled from the empire.

For the sake of justice and clearness, and effectually to separate the persons pursuing a lawful and honourable trade from an unlawful, it is now submitted that no English firm shall in future be permitted to transact business, or to reside in China, till Elliot shall have forwarded to the high officers a plain declaration, signed by each member thereof, and countersigned and sealed by officers of the English nation, setting forth their solemn determination to have no concern, direct or indirect, with the opium traffic; neither to permit, or knowingly sanction, any persons under their controul to have any; and, further, their full knowledge of the severe regulation, that they will be forthwith expelled from the empire, if it shall be proved, to the satisfaction of the honourable officers and the officer of their own nation, that they have broken faith in the least degree.

Elliot, sincerely desirous of fulfilling the just will of the Great Emperor, further submits, that no English ship shall be permitted to carry on trade with this empire, of which the Commander and Consignees, on the very day of arrival, shall not hand in to Elliot a solemn declaration, setting forth, in Chinese and English, that she has neither brought opium to China, nor has any on board, nor will receive any whilst she is in China. And till Elliot has forwarded this declaration to the honourable officers, stamped with his seal and words, to the effect that he believes it to be true, let the hatches of no such English ship be opened for trade.

If the high officers will thus far confide in the good faith of an English officer, Elliot assures them, that this regulation will affect the separation of the lawful from the lawless trade. Disgrace and severest punishment would fall upon him if he did not fulfil his obligations with fidelity; and assuredly he would attach his seal to the declaration of none other than faithful persons.

Respecting the delivery of a man on account of the death of Lin Weihe, Elliot again and again assures their Excellencies, that he has investigated with strictest justice, and has found only five men of his nation concerned in riot and drunkenness; but who had no hand in the murder. These people have been severely sentenced; and, certainly, if any Englishman had been convicted of the murder, his life was forfeited according to the laws of England, just as if he had murdered a man of the English nation in England. But, on this occasion, let the high officers inquire again, and they will truly find that there were many persons on shore and rioting,—American as well as English. Thus, it has been impossible to discover the murderer. Let not their Excellencies believe, that Elliot deceives them in this or any respect. The English officers dare not trifle with the truth. Elliot has transacted business for several years with the high officers of this province, and they know he is incapable of falsehood. He appeals to them on this occasion. Elliot, however, will continue to use the most searching means of inquiry for the perpetrator of this deed; and if he be discovered, and be an Englishman, he promises, in the name of the Queen of England, that he shall be placed on his trial according to the laws of his nation, before the honourable officers.

But now let a sure and satisfactory mode of joint investigation be determined upon, congenial with the customs of the empire and of his own nation. Thus will all future matters of the like nature be arranged agreeably to prescribed rule; and perpetual peace will be preserved.

Concerning the departure of the whole of the sixteen people, and of the ships that were formerly store-ships, it is right that Elliot should faithfully fulfil the pleasure of the Emperor as soon as the first northerly wind sets in, which will be in a few days. Two of the sixteen men, however, have never dealt in opium; the one being still a youth, of the name of Donald Matheson, and the other a gentleman of the name of Henry. For these persons, Elliot solicits favourable consideration; and all men will see and respect the justice of the empire.

Elliot

Elliot expects the commands of his gracious Sovereign in about four months, having faithfully reported all things of consequence on the 29th May last; and, until they arrive, it will not be possible for the ships to proceed to Whampoa.

There has been peace between the empire and the English nation for nearly two hundred years,—it is in the power of the high officers still to preserve it: may it last for ever.

These are the sincere thoughts of an humble foreign officer, who venerates the Great Emperor, and has always manifested respect for the high officers and the laws of the empire.

Let him be trusted, and the confidence of their Excellencies will not be cast away.

(Signed) CHARLES ELLIOT.

Inclosure 8, in No. 1.

Two Memoranda in Explanation of Captain Elliot's Propositions.

FIRST MEMORANDUM.

RESPECTING the murderer of Lin-Weihe, Elliot knows not who he is; and he can only again solemnly declare, that he will continue the strictest inquiries upon the subject, and faithfully report the results to the officers.

If this be not satisfactory, all things must remain in their present condition, till the arrival of Maitland, or other high officers of the English nation, which may be expected,—Elliot having written to India fully concerning the actual state of affairs.

The date of the departure of the remaining store-ships and sixteen persons shall be reported to the honourable officers, and will take place in a few days. Certain of the vessels being old, it may be needful to sell and break them up here.

Elliot hopes the high officers will consider the case of the two persons he has mentioned; and therefore leaves his request: if it cannot be granted, they must go.

Signed) CHARLES ELLIOT.

SECOND MEMORANDUM.

LET the honourable officers assure themselves that Elliot will continue to use every effort to discover the perpetrator of the murder of Lin-Weihe, if he be indeed a man of his nation: and with this purpose, he will offer a reward of 2,000 dollars when he returns to Hong Kong; and will report to the honourable officers as soon as he is discovered.

Concerning the departure of the sixteen people, it is to be wished that the high officers would grant them a certain number of days to return to Macao and finish their affairs.

Then they will be able to depart, with the ships, within six days.

(Signed) CHARLES ELLIOT.

Inclosure 9, in No. 1.

Answer to an Inquiry regarding a Seaman found Dead at Hong Kong.

Macao, September 27, 1839.

IT is true that the corpse of a seaman was found floating about the harbour of Hong Kong above ten days since; and upon investigation it appeared that he belonged to an English vessel (the *Snarley Yow*) which had departed. There were no marks of violence on the body, and it was examined

and buried in the presence of Captain Smith of the English cruizer, and Johnston, the Deputy Superintendent, in the view of several persons, foreign as well as Chinese, close to the landing-place.

Now Elliot understands that it has been supposed this person was the murderer of Lin-Weihe. Upon that point he is not able to speak, because he knows nothing: but he again and again declares, that he has most faithfully investigated, according to the customs of his country, which are severe and searching concerning the apprehension of murderers, and has not yet found a culprit.

(Signed) CHARLES ELLIOT.

Inclosure 10 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, September 28, 1839.

ELLIOT, &c., being called away by business demanding his attention at Hong Kong, has to request that when the commands of their Excellencies shall be received, they may be forwarded to him to that place.

(Signed) CHARLES ELLIOT.

[N. B. This sudden departure was occasioned by a report that the fleet had moved out from Chuenpee, which proved to be well-founded. The return of the *Volage* to Hong Kong probably disinclined them to visit that anchorage.]

Inclosure 11 in No. 1.

The Commissioner and the Governor of Canton to Captain Elliot.

LIN, High Imperial Commissioner, &c., &c., and Tang, Governor of the two Kwang, &c., &c.

An official despatch to Tseang, the Acting Joint Prefect at Macao, that he may enjoin commands on the English Superintendent, Elliot, for his full information.

Upon the 28th of September, we received the following report from the said Acting Joint Prefect.

" As soon as I had received the commands of your Excellencies the Commissioner and the Governor, transmitting a paper of ' Particulars regarding which commands were to be enjoined,' I transmitted the same to the English Superintendent, Elliot, for his perusal and obedience. Afterwards, on the 24th of September, the said Superintendent having come to Macao, he had a personal conference with me at the house of the Portuguese Head of the military [the Governor of Macao is so called], when I again took the matter of your Excellencies' commands item by item, and proclaimed them. The said Superintendent showed, in a high degree, that he was awakened and aroused. Now, upon the 25th, Elliot has further presented a memorandum of conversation, requesting me to report for him. I respectfully forward the paper itself for inspection, humbly intreating examination of it, and orders thereupon."

This having come before us, the Commissioner and the Governor, we have at once carefully perused the several particulars contained in the memorandum of conversation handed by Elliot to the said Joint Prefect, and have accorded severally to each our assent or refusal. These now again arranging in order, we send to the charge of the said Joint Prefect, that he may enjoin our commands on Elliot, to pay instant obedience, and report in answer. Be there no opposition!

First. Elliot states " that there ought not to be one catty of opium on board of any English ship at their present anchorage, for he has already taken severe and admonitory measures in that respect, requiring the departure from this

this coast of all English vessels actually engaged in the opium traffic; that whenever the honourable officers desire to examine, he will take care that they are accompanied by officers of his establishment, and if after strict search, any be found, the whole cargo shall be immediately seized and confiscated; that no English firm shall in future reside in China, transacting business, till a plain declaration shall be signed by each member thereof, setting forth that they will permit no person under their controul to bring opium; and that no English ship shall be permitted to carry on trade with this empire, of which the Commander and Consignees shall not, on the very day of arrival, hand in to him, the said Superintendent, a solemn declaration, in Chinese and English, to be forwarded, after being stamped with his seal as true, for the inspection of the honourable officers; and till then, that the hatches of no such ship should be opened for trade."

We, the Commissioner and the Governor, find that, in the second month of this year, when we commanded the delivery of the opium, we at the same time, required the giving of a bond (or obligation); for having on this occasion respectfully received the severe commands of the Great Emperor, that we must cause the perpetual stoppage of the inflowing stream of opium, it had become impossible longer to suffer the clandestine sale of it by the said foreigners; and the ships (or ship-folk) of every nation, on becoming acquainted with this severity of prohibition on the part of China, should also, in dread of punishment, have repented of their offences, and swept the opium clean away, utterly and for ever: then would the lawful trade not have been involved by it. At that time, we learned by inquiry, that Elliot, with Johnston, and all the merchants, had already determined on a draft of a prepared obligation, the tenor of which was, in a considerable degree, right and proper; and at the end whereof was plainly attached the date, "4th of the fourth month (*i. e.*, April), 1839."* Of this, we, the Commissioner and the Governor, both became well aware. If, at that time, this obligation had been at once presented, would it not have been in the utmost degree respectable? But Elliot, suddenly changing his mind, held back the obligation, and did not deliver it; from which arose, after the going down to Macao, many untoward things, one upon another. Thus truly did he produce thorns and briars to his own hurt!

At present, the ships with merchandise in Hong Kong Bay, amount to the large number of thirty-eight. The assertion that they have not on board, one catty of opium, is not only hard for common sense to credit, but is contradicted by the plain depositions of Ow Achu, and Pang Ahoy, which show, that on the 5th of September, they were yet able to purchase Bengal opium on board the ship *Hakshun*. Is not this a clear and distinct proof? Furthermore, twenty-two Lintin store-ships having in April last reported and delivered 20,283 chests of opium, and the number of ships now in Hong Kong Bay being double the number of those formerly anchored at Lintin, will it be said that they have not one catty of opium on board? or can we, the Commissioner and the Governor, lay before the throne such a statement? If, by such a declaration, we should incite the terrible wrath of the Great Emperor, let it be asked, will that nation be ever able to renew its commercial intercourse here? We now again give our special commands to the said Superintendent, that he must again proceed, with truthfulness of heart, carefully to examine all the ships in Hong Kong Bay; and if there be any opium concealed and retained on board of them, be it much or little, he must, according to the facts, deliver up all. Not only must none be secreted on board the vessels, but if any should be transferred to boats, and stealthily removed for storage elsewhere, as soon as it shall be discovered and seized, the parties, according to the new law, shall be severally executed by decapitation, and by strangling, and the vessel and cargo shall be confiscated to Government. If any be conveyed to the eastward or westward for clandestine sale, as soon as the naval vessels shall make seizure thereof, the vessel shall surely be destroyed by burning, and the parties shall certainly be caught and killed. How much better openly to deliver

* All this is sheer fabrication.—C. E.

deliver it up, and so to obtain, at one and the same time, remission of the offence, and freedom to trade! If the said Superintendent does indeed desire to preserve intact the livelihood of his nation, it behoves him yet to act in obedience to the reiterated orders to deliver up the opium; he must not persist in one statement, till, when at some future day opium is discovered, he bring on himself a severe punishment of his offence, a cause for after repentance.

At this time, we wait but for the said Superintendent clearly to examine and report in answer; when, in addition to what he may then have to deliver up, we will, as he requests, send deputed officers to search and examine each ship; and if in very deed, they have not the least quantity on board, then the cargoes of lawful trade shall of course be in all justice protected, and we will yet, according to the former petition of the said Superintendent, grant a measured modification of arrangement. Excepting only that at Macao it shall never be permitted to import goods, in other respects it shall be left to the said Superintendent himself to devise and concert measures, reporting the same and awaiting our commands for obedience. It shall by no means be allowed, that the masters of the vessels be involved by delay and loss of time.

As to the rules for giving obligations and adding obligations thereupon, they are in accordance with our original commands of last April; and it is right to let it be as he requests. He is to transmit commands to all the ships now in this province, and to vessels hereafter arriving, that they, one and all, act in obedience thereto. But in these obligations it will still be requisite to state clearly, " that obedience shall be paid to the new law declared by the Emperor: if any bring opium, the parties shall be immediately executed, and the vessel and cargo confiscated to Government." There must be no confusion, or difference of treatment.

Secondly. Elliot states, " that respecting the murder of Lin-Weihe, he will continue the strictest inquiries, and faithfully report the results to the officers." If he, indeed, with truthfulness of heart, make strict inquiries, what difficulty will he have in ascertaining the facts? He is considerately allowed a period of ten days, to ascertain the murderer and deliver him up to Government for trial and punishment. The brave forces, naval and military, that are now everywhere stationed, are assembled, as clouds, upon the various waters. There must be no more glossing pretexts for delay, drawing down measures of extermination.

Thirdly. Elliot states, " that the store-ships can be required to set sail as soon as the first northerly wind sets in; and that, concerning the departure of the people expelled, it is to be wished that they may be granted a return to Macao, and then they will in six days be required every one to depart." We find, that at this period, the middle of autumn, there is constantly a northerly wind, so that he may hasten at once the departure of the vessels. All the foreigners expelled and sent back to their countries, we considerately permit to return, as he has requested, temporarily to Macao, to collect together their baggage, and then embark on board ship to go back again. From their arrival at Macao to their departure therefrom, they are allowed in all six days. But, lest they should introduce opium from the ships into Macao, we have specially appointed high civil and military officers to examine when they come on shore at the port of Macao; and also to remain there to urge on their embarkation and departure. At the same time, the Portuguese head of the military (Governor of Macao) has been commanded in like manner to examine and to urge. They must by no means be allowed to to exceed the period of six days that has been requested. If they make any pretexts for further delay, they shall be immediately, and with severity apprehended. As to those not in the number of the expelled, they should wait till the affair is ended; when further orders shall be given, naming a period, and permitting them to move back for a continued residence. They must not confusedly mix themselves up with the depraved foreigners that are being expelled, and return without any distinction to Macao, so as to confound black and white together, and bring upon themselves shame and disgrace.

Fourthly. Foreign merchants of all nations coming hither for trade,— any vessels of merchandize entering the river to Whampoa, — or foreign merchants

merchants residing at Canton and at Macao, are all permitted to engage, through the medium of the Hong merchants, compradores and working-men to supply their necessities. This is not forbidden by the established regulations. But there is a class of depraved scoundrels, not engaged by the Hong merchants, who have clandestine intercourse with the foreigners, and combine with them for the attainment of illicit ends, being ready for all extremes: and they hence bear the native name of "Chinese traitors." Of late, in consequence of all the English foreigners having left Macao, these persons have all followed them to reside on board the vessels of merchandize and the store-ships on the water. Besides Pang Ashay, a broker selling opium for Stanford on board the *Kola* [*Harriet*] who has been apprehended, it appears further, from the depositions given on their examination by Ow Achu and Pang Ahoy, rascally criminals apprehended as purchasers of opium, that there are on board the ship *Hakshun* (?) three persons, Chow Atsune, a shroff, Chin Ayow, a carpenter, and Wong Apat, a cook. If such be the case on board one ship, we may infer how it is on board the others. There are also two persons, Wong Chayeep, alias Wong Atsoo, and Lo Laupun, who, we have heard, are concealed on board the foreign ships. How many other Chinese traitors there are in concealment on board all the ships, how shall it be told? Herein, since the foreign ships ordinarily make use of their combination for illicit ends, and when they are sought after afford them shelter and protection, it is wholly impossible, according to the laws of the Celestial Empire, to suffer their concealment, and refrain from searching for and seizing them. Moreover, this class of depraved scoundrels, poking their hands into all matters, not only offend against the laws of China, but also seduce the foreigners to smuggle and commit offences; so that to the foreigners themselves they are pernicious, not beneficial. Since the said Superintendent has the desire to preserve peace for ever, and to cut off the opium, it is necessary that he should immediately take all the criminals herein pointed out, and all Chinese traitors in concealment on board all the other ships, and having ascertained the names of all, hand them over to the officers of Government. Will not this display still more a respectful sense of duty, and help the perpetual eradication of the evil? And in future, all the foreign merchants, applying themselves solely to the conducting of a lawful commerce, will not be subject to the seductions of this class of people. They will naturally rest in the continual enjoyment of gain.

Concerning the above four particulars, the said Superintendent, after his receipt of these commands, must immediately investigate clearly; and in the first instance report in answer regarding his measures in obedience thereto, for the decision of us the Commissioner and the Governor. He must not be in the least degree indistinct or confused in his statements, so as to incur criminality. His report let him send under an open envelope, through the hands of the Keun-Min-Foo, that he having perused, may forward it, and that he may be enabled to place it upon record.

The Celestial Empire is a great one, cherishing as its children the small. All outer foreigners who come to China to trade and pay implicit obedience to the laws, look up to invite the Imperial Grace to show tenderness towards men from afar. It is not allowable carelessly to bring forward such expressions as "mutual harmony," and insert them in addresses, to the infraction of the requirements of dignity, whereby severe commands are called forth. We take this occasion of giving commands on this point.

Taoukwang, 19th year, 8th month, 21st day. (September 28, 1839.)

(L.S.) of the Governor.
(L.S.) of the Commissioner.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 12 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Hong Kong, October 5, 1839.

ELLIOT, in reply to the communication of the high officers, dated on the 28th of September, again sincerely states, that he has used strenuous efforts to prevent the storing of opium on board of British vessels at this anchorage; and that he is ready to cause officers of his establishment to accompany honourable officers on board of any British vessel suspected to contain it. If, therefore, opium be found, and the whole cargo be seized and confiscated, and all the parties concerned expelled, he can offer no objection.

Concerning the words required in the Bond, Elliot requests delay, till the commands of His Gracious Sovereign arrive, which may be expected in about four months.

The only pledge of which he knows, is the voluntary promise of the English and the other foreign merchants, to discontinue all future pursuit of the opium traffic. This was highly satisfactory to Elliot, and the paper was forwarded to the high officers, through the Hong merchants, early in April last. He knows of no other pledge but this.

Of the sixteen persons dismissed from the empire, there have already departed six Englishmen:—viz., Dent, A. Jardine, A Matheson, Daniell, Inglis, and Ilberry. Four others, Framjee, Dadabhoy, Stanford, and Foster, are on the point of departure; and the periods of the departure of the others shall be duly reported to the honourable officers, in the course of a few days; but he still solicits consideration for Henry and D. Matheson, who have had no concern in these pursuits.

Of the English ships that delivered opium at Chuenpee, there still remain eight; of these, there are three, the *Hercules*, *Rupareel*, and the *Jane*, for whose departure no day is yet named; one, the *Ann*, that will sail in a week; one, the *Mermaid*, that has been sold to Americans; and three, the *Austen*, *Thistle*, and *Coral*, that, being old and decayed, it is requested may be sold and broken up here.

Elliot faithfully declares, that he has not yet been able to discover the murderer of Lin-Weihe, but he will continue strict inquiry.

Of natives of this land, said to be secreted on board English vessels, Elliot knows nothing and, if there have been any, he considers it probable that they have absconded, alarmed by the severe measures of the Government.

The English nation is the equal of any other on the face of the earth in justice and power; and, in using expressions suitable to her station, there is no desire to offend the dignity of this empire.

Elliot requests, that the language of the high officers towards him, the officer of his nation, may no longer be contumelious.

(Signed) CHARLES ELLIOT.

Inclosure 13 in No. 1.

The Keun-Min-Foo to Captain Elliot.

TSEANG, Keun-Min-Foo, &c., an officer of the Celestial Empire, addresses this communication to the English Superintendent, Elliot, for his perusal and information.

The Portuguese foreign chief Procurador has laid before me a representation, showing the tenour of a note from the said Superintendent. Upon perusal thereof, I find it greatly wanting in clearness and perspicuity; and also that many things have been omitted.

Since the said Superintendent engaged the Portuguese to present a Memorandum for him a long time has elapsed; and still he has not rightly

rightly and diligently arranged the various matters, which he was required by the commands of their Excellencies to arrange. It is utterly impossible longer to delay. Upon this communication reaching the said Superintendent, let him make it his bounden duty within four days to reply to each several particular of the commands of the high officers before received by him, that I may be enabled to transmit his reply to the High Commissioner and the Governor, for them thoroughly to investigate and decide on. If there be any longer procrastination, it will occasion commands from their Excellencies, which I cannot bear the brunt of on the account of others. Be speedy! Be speedy! A special communication.

Taoukwang, 19th year, 8th month, 28th day (5th October, 1839).

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 14 in No. 1.

The Keun-Min-Foo to Captain Elliot.

TSEANG, Keun-Min-Foo, &c., an officer of the celestial Empire, sends this communication to the English Superintendent, Elliot, for his perusal and information.

Yesterday, in consequence of the receipt of a very hasty and confused representation from the Portuguese Chief Procurador, giving the words of a note received from the said Superintendent, I sent a communication urging the Superintendent to reply by all means within four days; declaring his obedience in the several particulars of the commands which he had before received from the high officers, so that I might be enabled to transmit the same, his reply, for their decision. And I sent a pilot to proceed speedily to Hong Kong, bearing that communication. Having done so on this 6th instant, in the forenoon, the pilots brought me a memorandum from the said Superintendent, which I have perused.

With reference to the statement, that of the sixteen foreigners required to leave, there have already gone six, namely, Dent, A. Jardine, A. Matheson, Daniell, Inglis, and Ilbery, I find that of the depraved foreigners four only, Dent, Inglis, Daniell, and Green, have gone. How comes the careless statement that six have gone?—Besides, Ilbery I find followed the said Superintendent the other day to Macao. And Green, having already gone home, how is it that he thus carelessly states those gone who have not, and states as not gone such as already have left?

With regard to Framjee and the others, let it be ascertained certainly on what day they will take their departure.

Regarding Henry and Donald Matheson, he has already promised in a memorandum which he sent me, that they, too, should be at the same time required to leave. How is it, then, that he now still wishes to suffer them yet to linger here?

Further, with reference to the statement that there remain eight of the store-ships that delivered opium, and that the rest have gone, I find that there are yet twelve of these vessels that have not taken their departure. Besides the *Hercules*, and other vessels enumerated by name in his memorandum, there are the *Mavis*, the *Spy*, the *Colonel Young*, and the *Harriet*, four vessels that have not yet sailed away. These repeated inaccuracies are most inexplicable!

The murderous foreigner who caused the death of Lin-Weihe, though a long time has already elapsed, he still continues to procrastinate regarding him, on the pretext of not having yet discovered him. His changefulness and inconstancy were I at once to make a representation, in accordance with his statements, would draw on me the indignation of the high officers; and how can I bear this on the account of others!

I again require that inquiry be made. Upon this reaching the said

Superintendent, let him immediately make inquiry and point out the facts; and let him once more write out a plain statement of his proceedings in implicit obedience to the commands of their Excellencies; and forward the same to me, in the form of a direct address to the two high officers, but open, to be transmitted by me to them for their decision.

I reckon, from the time that the said Superintendent solicited the Portuguese to present a memorandum for him up to this time, no less than two decades. It is utterly impossible longer to delay. Let him not again, by vagueness and confusedness, retard matters, and so draw on himself cause of grief and sorrow. Be speedy! Be speedy! A special communication.

Taoukwang, 19th year, 8th month, 29th day (6th October, 1839).

True Translation,
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 15 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Hong Kong, October 9, 1839.

ELLIOT, having upon the 2nd instant received a communication from the high officers, transmitted through the Keun-Min-Foo, replied through the same channel on the 5th instant. Having done so, he received on the 6th, by the hands of a pilot, a communication urging a reply; and now, upon the 9th, he has further received a communication, of date the 6th of October, in reply to which he states positively these facts: that of the persons declared not yet to have gone, Ilbery departed with his family in the beginning of June last; A. Matheson embarked and departed on the 25th of June; and A. Jardine embarked on the 18th of August, and departed at the close of the same month.

That he did not mention the name of Green, because, as an American merchant, Green was not under his direction; and he is not called on to know anything of his movements.

Besides the six English who have already left, and the four about to leave, as before stated, Matheson, Heerjeebhoy, D. Matheson, and Bomanjee have now also declared their intention to depart immediately. They are preparing to do so.

Of the store-ships that have not yet gone away, besides those already accounted for, Elliot now finds that the *Hercules*, too, has been sold to Americans. The *Mavis*, *Spy*, *Colonel Young*, and *Harriet*, declared not to have yet left, have long been away from here.

None of the persons now taking their departure are desirous of returning to Macao; but will all take their departure from here. Under these circumstances, it is hoped that no further hindrance will be presented to the return of all the merchants of his nation to Macao, or their residence there; whereby he will be enabled more speedily to arrange all matters, and to establish the honourable commerce of his nation upon a seeure basis.

(Signed) CHARLES ELLIOT.

Inclosure 16 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Hong Kong, October 12, 1839.

ELLIOT, &c., has now to report, for the information of the High Officers, that of the persons required to leave the empire, six have actually departed,—namely, Dent, A. Jardine, A. Matheson, Daniell, Inglis, and Ilbery.

Ilbery. Heerjeebhoy has embarked on board the store-ship *Ann*, to take his departure to-day; Matheson and D. Matheson will embark in the *Good Success*; and Dadabhoy and Bomanjee in the *Sultana*, both to sail in about ten days; Stanford is embarked in the *Copeland*, to sail in about half a month; and that the remaining two, Framjee and Foster, will also shortly take their departure, although they have not yet reported by what vessels.

Henry has never dealt in opium; and the articles of legal commerce which he has brought hither can be committed to no other party to dispose of for him; so that if his departure be insisted on, the innocent will thereby be made to suffer heavy loss. It is, therefore, hoped the High Officers, who cannot desire to cause injustice, will reconsider the request before put forward on his behalf, to which no answer has yet been given.

Of the empty English store-ships, besides those already gone, there are two, the *Mermaid* and the *Hercules*, sold to Americans; other two, the *Ann* and the *Ruparell*, leaving to-day; and three, the *Austen*, *Thistle*, and *Coral*, which are old and decayed, and may, it is requested, be sold and broken up here.

There also still remains the *Jane*, which ship is prevented from departing, because she has on board several persons driven out of Macao. Elliot, therefore, requests that they may be permitted to return to their houses, so that the ship may sail away.

In conclusion, Elliot has again to press upon the High Officers his solemn declaration made in December last year, that the Government of his nation will regard the lawless traffic on these coasts with deep concern and indignation. In pursuance of this declaration, he proposed on his return to Macao, in May last, to arrange measures for wholly separating this traffic from the legal trade. And if now their Excellencies will cause the honourable trade to be opened upon the footing he has proposed in his address of the 14th of September, men, foreign and native, faithfully resolving to pursue a just trade, will no longer suffer heavy loss and injury by reason of the conduct of sordid and reckless individuals.

Arrangements made by Elliot, as the officer of his nation, will be of general effect and faithfully observed; separate arrangements made by private individuals of his nation are entirely irregular, and can lead only to confusion and disappointment.

(Signed) CHARLES ELLIOT.

Inclosure 17 in No. 1.

The Commissioner and Governor of Canton to Captain Elliot.

LIN, High Imperial Commissioner, &c, and Tang, Governor of the Two Kwang, &c., officers of the celestial Empire, issue their commands to Elliot, the English Superintendent, for his full information.

Upon the 8th of October, we received from Tseang, the Acting Joint Prefect of Macao, a representation that on the 6th of the month he had received a memorandum from Elliot, which, although it contained answers to the several particulars of the commands issued on the 28th of September, was in phraseology and tenor confused and indistinct,—showing much changefulness and inconstancy; that while he had objected to it, and required that a clear and distinct address should be sent in answer, he respectfully forwarded the memorandum and requested commands thereupon.

Upon this representation reaching us, we perused the memorandum, which we found to be unequal to the previous one in clearness and perspicuity. And in our last commands, we having required that he should reply in an address directly to ourselves, he yet merely sends this memorandum to the Joint Prefect. The several important points referred to in our commands, he,

with evasive indistinctness, contrives to elude, hoping to protract and delay measures. The Joint Prefect, in speaking of his changefulness and inconstancy, has shown his own clearness of perception of the said foreigner's inmost mind. We now again earnestly and faithfully place before him in a clear light, the several points of our previous commands; and allow three days for him to address us in reply. If he again wander away from them, indulging idle expectations, or go to the extreme of treating our commands as though he heard them not, we cannot then refrain from declaring his offence, and insisting on his punishment. The several particulars are arranged in distinct order below.

First. In the matter of executing obligations, the said Superintendent has addressed a request to us, that obedience may be paid; but regarding the form of words required to be inserted therein, he desires to wait till the 12th month. So long a delay it is difficult for us to grant. The said Superintendent, too, has himself requested a searching of each vessel. We will now join together the execution of obligations and the search, making a modified arrangement. Those who are willing to execute obligations according to the form prescribed, shall be allowed to trade as usual, and it will be unnecessary further to search them. Those who do not give the obligations, must conduct their vessels to Shakok to be searched,—the manner of search to be thus: the foreign merchants be required to take their goods out of such vessel, and remove them entirely into lighters, and the deputed officers to search thoroughly both the goods in the lighters, and the empty hold of the vessel. If any opium be found, the offender who has brought it shall be executed according to the law; and the vessel and goods shall be entirely confiscated to the use of Government. If there really be no opium found, the vessel shall in such case be allowed to trade. If willing to go to Whampoa, no further deliberation will be required. If they do not go to Whampoa, it will still be requisite to undergo measurement, and to pay the whole measurage dues. The goods may be either conveyed into port by the parties themselves, or entrusted to the Hong merchant,—the foreigners being in this left entirely to make their own election.

If they neither execute the required form of obligation, nor in obedience hereto, empty their vessels to subject them to search, it will be clear that they have opium on board their vessels; and assuredly they shall not be suffered to smuggle it. Three days shall be allowed for their entire expulsion, and return to their countries; and if, after three days they still linger behind, of a surety, fire-vessels shall be immediately manned and sent out, and their ships shall be destroyed by burning, and the evil so put away. This variation in the mode of operation adopted on this occasion, is really a modification beyond the bounds of rule, granted in consideration for the protracted delay which all the vessels have already suffered. While for Elliot it will present no difficulties, it will serve clearly to separate the good from the bad among all the foreign merchants, so that the one shall not involve the other.

As to vessels with cargoes hereafter arriving, they will all, without reference to their having or not having executed the obligations to their having or not having been searched, be required always, each time that they come to Canton, to execute an obligation in the same form.

If they will not execute an obligation, or do not execute it according to the prescribed form, they shall, upon no terms whatever, be admitted to trade. Such vessels as in resistance hereof loiter about, shall be immediately destroyed by burning. The form of obligation determined on, in conformity with the present new law, is sent out written in Chinese, and in the foreign language, for obedience to be paid to it. There must be no irregularity or inconformity.

Note.—The draft of a bond referred to in our former Edict, was printed some time since by the foreigners. A copy made from the foreign original is now sent for perusal *.

Secondly. In the case of the homicide of Lin-Weihe, the vessel in which the

* The inclosure here referred to, proved to be a copy of an English translation of the bond proposed by the Commissioners, through the Hong Merchants, on the 4th of April last. His interpreter would seem to have mistaken it for a bond proposed by the foreigners themselves.

the sailor is who committed the murder, has already become known to us, the Commissioner and the Governor, by our careful investigations. As soon as the witness is enabled to confront the parties, there will be no difficulty in learning who the actual person is. In our previous Edict, we allotted to the said Superintendent ten days, wherein to deliver him into the hands of Government, and his present answer is still but empty words. How much his heart is bent upon delay and elusion. Considering, however, that he was detained by the winds for several days, in his passage over, we indulgently allot him a further period of ten days. If he continue to reply with empty words, we, the Commissioner and Governor, will surely send naval vessels immediately, pointing out the ship in which the murderer is, that they may take the master, merchant, mates, and seamen, and bring them all up to be tried and examined. Then we will take out the principal in the murder alone, to atone for his crime, while we will send back the other offenders. It will be unnecessary longer to waste words upon the said Superintendent.

Thirdly. Of the twelve store-ships to be expelled, besides the four that have sailed, the *Ann*, which is to sail within seven days, and the *Mermaid*, which it is stated has been sold to Americans, there are three, the *Austen*, the *Thistle*, and the *Coral*, which are declared to be old and disabled, and are therefore permitted as is requested, to be sold and broken up; but it will be needful to fix a time, and speedily to appraise and sell them off; a protracted delay cannot be allowed. There are also three others, the *Hercules*, *Jane*, and *Ruparell*, regarding which, it is stated, that the period of their sailing is not yet known. Such a statement is highly confused and vague. It is commanded, that with utmost diligence they be urged to leave, and that the periods of their departure be with all truth reported. Further, the ship *Lord Amherst* having before presumed, in violation of the regulations, to proceed to Macao, to repair, and when again and again ordered away, not having at once left, and after the completion of her repairs, having cruised about between Hong Kong, Lintin, and Lantao, it is plain, since she had no goods on board to trade with, that she was seeking clandestine ends. It is requisite that she also be driven away. If she any longer disobey, she shall be burnt, together with all the emptied store-ships that loiter about; and the parties too shall be seized and dealt with. Let not the said Superintendent or the ship-masters reserve to themselves cause for future repentance.

Fourthly. Of the sixteen depraved foreigners whose expulsion has been demanded, there are six, Dent, A. Jardine, A. Matheson, Daniell, Inglis, and Ilbery, who are reported as having already gone home. Besides these, there are four, Framjee, Dadabhoy, Stanford, and Foster, of whom it is merely said, that they will forthwith leave; but the day of whose departure has not been named. Regarding Bomanjee, Matheson, and Heerjeebhoy, it is said that a few days are requested, after which, the time of their departure may be stated;—this is still more procrastinating. For these three, Bomanjee, &c., &c., are the more noted of the dealers in opium; and how can they be suffered longer to look around in expectation. It is commanded that they be urged, with utmost diligence and haste immediately to return to their countries. At the same time, let the periods of their departure be truly reported. Further, there are two others, Henry and D. Matheson, of whom it is represented that they have never dealt in opium, and for whom the indulgent consideration of the high officers is again requested. D. Matheson we find to be a nephew of Jardine; and having, in reply to our representations, received the Imperial pleasure that he be expelled, how can we show any indulgent sufferance. But, as the said Superintendent has repeatedly declared that Henry has never been a seller of opium, we indulgently grant his request, forbearing for a season to require his expulsion, and only desiring that he shall be kept under observation from time to time.

In conclusion, the commands which we, the Commissioner and the Governor, have at various times given, have been no otherwise than in pursuance of the principles of justice, or for the complete exhibition of needed instruction and monition. Where has been the contumelious language? As to what may be the power of that nation in comparison with other nations, the celestial Empire cares not to inquire over much. Let not any thoughtless bragging representations be confusedly made.

These are our further commands.

Taoukwang, 19th year, 9th month, 2nd day (8th October, 1839.)

Inclosure.

[A form of bond in Chinese and English. The Chinese portion translated is as follows]:

A duly prepared bond. The English merchant ship-master, M. N., and foreign merchant, O. P., with the partners (or mates) and persons receiving hire, now appear before the high officers of the celestial Empire, and pledge themselves that their vessel has on board cargo consisting of
which she has brought to Kwangtung for purposes of commerce; that in trembling obedience to the new laws established by the Emperor, they have not dared to bring any opium. If it be discovered that their vessel has on board a single tael of opium, they are ready to put forward the offender who has brought it, and to leave him to the officers of the celestial Empire instantly to punish capitally; as also to have the vessel and goods entirely confiscated to Government. If it be found that they have not brought any opium, it behoves them to solicit a gracious permission to trade as usual. The good and evil being thus distinguished, they give in with willingness their adhesion and submission. This their duly prepared earnest bond is true.

Taoukwang, year, month, day.

The duly prepared bond of the English ship-master.

	(Signed)	M. N.
Foreign merchant	„	O. P.
Partners (or mates)	„	Q. R., &c., &c.
Hired men	„	S. T., &c., &c.

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

[The following is the English portion of the proposed bond, being the version made by the Commissioner's native interpreters]:—

A duly prepared bond.

The foreigner , Commander of ship; belong to , under consign, present this to His Excellency the Great Government of Heavenly Dynasty, and certificate that the said ship carry
goods, come and trade in Canton, I, with my officer, and the whole crew, are all dreadfully obey the new laws of the Chinese Majesty's, that they dare not bring any opium. If one little bit of opium was found out in any part of my ship by examination, I am willing to deliver up the transgressor, and he shall be punish according to the correctness of the Government of Heavenly Dynasty, together with my ship and goods are to be confiscate; but if there found no opium on my ship by examination, then I beg your Excellency's favour permit me to enter to Whampoa, and trade as usual; so if there are distinguish between good and bad, then I am willingly submit to your Excellency; and I now give this as a true certificate of the same.

Taoukwang, year, moon, day.

Persons who give this bond are, belong to
Name of Captain .
of ship .
of officers .
of crew. .

Inclosure 18 in No. 1.

Captain Elliot to the Commissioner and the Governor of Canton.

Hong Kong, October 13, 1839.

ELLIOT has this day had the honour to receive their Excellencies' communication dated on the 8th instant.

The arrangements herein required Elliot plainly understands, and it will be easy for him to settle all things immediately agreeably to their Excellencies' pleasure.

Concerning the apprehension of the murderer of Lin-Weihe, he can only repeat that he will continue to use all diligence, and report to their Excellencies, as soon as he is discovered, to the end that he may be placed on his trial.

Elliot will proceed to Macao on the 15th instant, for the purpose of concluding these affairs with the honourable officers. Elliot thanks their Excellencies for their consideration regarding Henry.

(Signed) CHARLES ELLIOT.

Inclosure 19 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, October 15, 1839.

ELLIOT begs to acquaint the Keun-Min-Foo that he has this day arrived at Macao, for the arrangement of affairs.

He has already clearly reported the particulars respecting the persons ordered away, and the departure of the remaining store-ships. And he has now to request that the remainder of his countrymen may be allowed to return to Macao immediately; in order that the cargo-ships may ask for pilot-chops, and proceed to be examined and discharge their cargoes, agreeably to the pleasure of the high officers. There are also other arrangements to make which require the presence of the merchants of his nation in concert with the Hong merchants; and much time is lost by the frequent passage to and fro, between this and Hong Kong.

(Signed) CHARLES ELLIOT.

Inclosure 20 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, October 22, 1839.

ELLIOT has the satisfaction to acquaint the Keun-Min-Foo, that he has this day concluded an arrangement with the Hong merchants for the opening of his nation's trade, in conformity with the pleasure of the high officers.

He has now to request that orders may be given for the issue of pilot chops, to convey the cargo-ships to be examined and discharged; and that no obstruction may be made to the return of the merchants and their families to Macao.

(Signed) CHARLES ELLIOT.

Inclosure 21 in No. 1.

The Keun-Min-Foo to Captain Elliot.

TSEANG, Keun-Min-Foo at Macao, sends this communication to the English Superintendent, Elliot, for his full information.

I have this moment received the Memorandum stating, that arrangements for the trade have been upon consultation settled; and that the giving of pilot-chops is now awaited, that the vessels may be conducted to Shakok, to be searched and to discharge their cargoes, so that the merchants and families of his nation may be enabled to return to Macao, here quietly to dwell.

This having been duly received, I find, that although it appears from this day's deliberations, that all the foreign merchants are willing to undergo the removal and search of their goods, yet, no application having been sent in for a passport, I do not know for what vessels any be required; and how then shall I be able to issue such pilot-chops.

Regarding the English merchants and families, they must wait till I shall forward a representation on their behalf to the high officers; and shall receive in reply their commands, whether or not permission is to be given them to return and reside at Macao. And when these shall be received, they shall of course be made known, that obedience may be paid. The said Superintendent, standing in an official post, and having a name for intelligence in affairs, must by all means be quiet a little while, and not be in a hurry. A special communication.

Taoukwang, 19th year, 9th month, 16th day (22nd October, 1839).

True Translation.
(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 22 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, October 23, 1839.

ELLIOT has received the communication of the Keun-Min-Foo dated yesterday, for which he thanks him.

He will report the names of the ships for which pilot-chops are required, as soon as the merchants of his nation have come over and arranged amongst themselves the order in which they are to go up.

And he hopes that there will be no further difficulties about the servants or supplies, or the means of carrying on the communications as usual with Canton.

(Signed) CHARLES ELLIOT.

Inclosure 23 in No. 1.

The Keun-Min-Foo to Captain Elliot.

TSEANG, Keun-Min-Foo, &c., sends this communication to the English Superintendent, Elliot, for his full information.

A memorandum has this moment been handed to me, stating that the said nation's cargo-ships must wait until all the merchants have determined the choice of the vessels that shall first proceed to Shakok, to undergo the removal and search of their cargoes, before they can report the names and request pilot-chops; and soliciting that servants and compradors

compradors may be given back as formerly; as also the passports for the convenience of passing between Canton and Macao.

Having received this, I find, that although the said foreign merchants are now willing to have their cargo-ships conducted to Shakok, there to await the removal of their cargoes and search, yet no application has yet been made for passports (or pilot-chops) as a commencement. So that the compliance with the commands has not yet gone further than mere words, and no act has yet been done. Under these circumstances, it is inexpedient hastily to give the servants and compradors. If, indeed, the said Superintendent will at once hasten all the cargo-ships with speed to apply for their passports, and proceed to Shakok, to await the removal and search of their cargoes; and if he will proceed eagerly to pay obedience to all the other points of the commands resting on him, I will most assuredly, request on his behalf, that the high officers will permit the compradors and servants to be given back as formerly, and that they will allow the licensed passage-boats to move between Canton and Macao. And whenever such permission shall be received, I will of course make the same known that it may be complied with. I certainly will not intentionally cause any delay or difficulty. A special communication.

Taoukwang, 19th year, 9th month, 17th day (23rd of October, 1839).

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 24 in No. 1.

The Prefect of Nanhiung Chow, and the Keun-Min-Foo, to Captain Elliot.

YU, Prefect of Nanhiung Chow, &c., &c., and Tseang, Keun-Min-Foo at Macao, &c., officers of the Celestial Empire, address this communication, in consequence of an official reply received, commanding to return.

It is on record, that we, in concert with the Hong merchants, enjoined on the Superintendent and all the foreign merchants commands that bonds should he given, in accordance with the prescribed form, and that they should proceed to Whampoa to trade. It appeared, afterwards, from the said Hong merchants' representation, that the Superintendent and the foreign merchants, were unwilling to give bonds in accordance with the form prescribed, but were willing to request permits to proceed to Anunghoy, and submit to a removal and thorough search of their cargoes. In conformity with these statements, we transmitted a report, and have this moment received the following reply thereto from the High Commissioner:—

"When I, the Commissioner, upon the 20th September, first issued my commands, I set down in order these three things in the prior place,—the surrender of opium,—the delivering up of the murderer,—and the sending home of the empty store-ships and the depraved foreigners. In all such parts of my commands as related to the entrance of the vessels, I stated, that if they should act obediently in each of the three preceding particulars, it would then not be difficult to resolve on the granting of favours. Let me ask now, if, at this moment, these three particulars have indeed been duly arranged? And, though it may be said, that there is no opium to be surrendered, and that the depraved foreigners and the empty store-ships are being sent home, how is it that the principal murderer in a most important case of homicide has been set aside, as not to be inquired about? If indeed, the said foreigners were to give the bonds in accordance with the prescribed form, it might yet be suffered, that time should be allowed to arrange that matter; but now, while it is far otherwise, how shall the granting of permits be at once sanctioned?

Moreover, in my commands of the 9th of October, and Proclamation of the same date, it was declared that this was a modification beyond the bounds

of rule, granted upon the present occasion, in consideration for the protracted delay which all the vessels had suffered; that vessels hereafter arriving would all be required to execute an obligation in accordance with the form prescribed; that, if not according to the form, they should upon no terms whatever be admitted to trade. But, from what the foreign merchants now declare, it seems that hereafter, also, they will be equally unwilling to execute the obligation; that their idea is to continue selling opium. To what end, then, will the searching the cargoes, upon the present occasion, tend?

"Regarding the crowding back to Macao of the foreign merchants and their families, how can any encroaching be allowed, or indulgence be shown, while these matters are yet in confusion? I require you immediately, in concert with the Commodore of the Heangshan station, and my deputed officer, Le Suh, to act faithfully in driving them forth; and to urge the Portuguese foreigners to join also in pushing them out of Macao; their stay must not be suffered.

"The cargo-ships which do not give the bonds on this occasion, must yet, in accordance with my former commands, be interrogated; whether or not they will give the bond according to the proscribed form upon the next occasion; and they must be required severally to give certificates. Such as will express their willingness to give the bond, may on the present occasion, be allowed to await search. If they are unwilling on any after occasion to give the bond, it will be better they should on this occasion return home, and they shall be required within three days to take their departure; they must not be allowed to stay, hesitating and indulging idle expectations. To such, the Keun-Min-Foo must not presume to give permits.

"Regarding the murderer in the case of homicide, Elliot must still, as in my former reply, be required to send up for trial the five men detained by him. If he continue to oppose and delay, I must call upon the naval Commander-in-Chief, to proceed at the head of his war-vessels and fire-ships, as also of the land soldiery encamped at all the various points of ingress, that they may join in seizing the murderous foreigner, making it imperative on them to bring him up for trial and punishment; and at the same time to search for and apprehend all the traitorous Chinese in shelter and concealment on board the various ships. And when they are brought to submission, it will be then time to consider of regulations for their search and admission into the Port.

"I, the Commissioner, am sworn on behalf of the celestial Empire, to remove utterly this root of misery; nor will I let the foreign vessels have any offshoot left for the evil to bud forth again."

We also received the following reply from the Governor.

"I find that Elliot having with all the foreigners repaired to Macao to deliberate, the Hong merchants distinctly warned and instructed them relative to the difficulties attending the removal of the cargoes, and the injury that must result therefrom. The whole tribe of these foreigners cannot be entirely without men of intelligence. How then is it that in consequence of Elliot's keeping them out, they willingly conform to his wishes; and when Daniell as a bystander, gave them advice, they still held obstinately to their previous determination? This proceeding of Elliot's, holding all in bondage to his single opinion, is most detestable.

"The object of requiring the cargo-ships to execute the obligations and proceed to Whampoa, is to cut off entirely the introduction of opium in them. If they cannot give the bond in accordance with the form, then it needs no words to show that they are craftily scheming to screen themselves for a season; and to this how can any approaches be suffered, by admitting them into Whampoa to trade? Besides, the words, 'the parties immediately executed,' inserted in this form of bond, have reference to such foreigners as may bring opium. If they, indeed, bring none, and executed the obligation in the prescribed form, they are then good foreigners, keepers of the law, and will assuredly not be causelessly involved in trouble. What loss or hurt will they then suffer?

"With

"With reference to the removal and searching of the cargoes, not only are there the difficulties of transport which may readily give rise to injury and loss, but also, though on the present occasion a temporary discharge of cargoes be obtained, yet is not this by any means a good measure for a continued course of trade.

"Of late from Kwangai on the west coast, and from Pinghai and Kushi on the east coast, reports have been forwarded of foreign vessels sailing about, or lying at anchor. It is manifest that the ships at Hong Kong, in consequence of the permission to trade upon undergoing search, have sent away their opium, to be secretly conveyed for sale to the eastward or westward, between which proceeding and the selling it at Hong Kong there is no difference. But if the obligation not being entered into according to the form prescribed, vessels simply submit to the search, not only in such cases will the parties who bring the opium be taken and executed, whenever any is found on board of these searched ships, but also whenever it is by seizure ascertained that opium has been put on board any boats, to be sent to the eastern or western coast of China in quest of a market, it shall be inquired who brought it; and in that event also the very parties shall be taken and executed. It will be vain, foolishly to expect indulgence or remission, on pretext of the vessel having previously undergone search. I require that these considerations be severally and strictly impressed in a clear proclamation."

Having received these commands, and finding that there have been repeated orders from their Excellencies, placing in succession in the prior place, these three things,—the surrender of the opium,—the delivering up of the murderer,—and the sending back of the empty store-ships and the depraved foreigners. If, indeed, in each of these three particulars, obedience were paid, then in regard to the cargo vessels and the proceeding to Whampoa, it would be possible to give consideration and, in a measure, to grant favours. But at this time, the newly arrived opium has none of it been delivered; nor has the murderous foreigner been given up; and even as regards the depraved foreigners that are to be expelled, one of them, Stanford, yet remains: of the store-ships, two, the *Ruparell* and the *Jane*, still delay to take their departure; while the three reported as rotten, the *Austen*, *Thistle*, and *Coral*, have not yet left Hong Kong to seek for opportunity of being sold and broken up. Thus, instance upon instance is given of unwarrantable trifling and delay.

That the merchant-vessels after giving the bond should get permission to proceed to Whampoa, was ruled, with the view of preventing the introduction in them of opium. It being apprehended that the foreigners entertained fears and anxieties, their Excellencies were graciously pleased to issue clear and perspicuous orders, showing that should opium be discovered, except the taking and executing of the depraved foreigners who imported it, none others should be involved, so that the good and the evil might be distinguished. The command afterwards issued, allowing search (as a substitute for the bond) was in consequence of the Superintendent's representation, that if it were absolutely necessary to execute obligations, according to the form prescribed, it would be requisite to wait till the arrival of letters from His Sovereign, before he would comply. The high officers feeling indulgent considerations for the ships with cargoes that had so long remained at anchor on the deep sea, and having apprehension that the cargoes might become spoiled, or injured by mould, made a modified arrangement beyond the bounds of rule, from motives of compassion towards the foreign merchants. But it now appears that the said Superintendent's statement,—that it is requisite to wait for letters from His Sovereign before complying, is not to be believed. For if it be necessary to wait for letters from His Sovereign, before giving such bonds, how is it that the ship *Thomes Coutts* has already given the bond according to the prescribed form, and proceeded to Whampoa? Are not, then, the ship-master and shippers on this vessel men of your English nation? It is plain, that with regard to this ship *Thomas Coutts*, the self-confidence that there was no opium brought in her made the parties upright in their principle, strong in spirit, without fear or anxiety. And as soon as the deputed officers had made search, and found that there was no cause to detain or trouble her, the bond was executed; and no sooner did she arrive, than she obtained her passport, and was at liberty to proceed to Whampoa. How direct and speedy! How respectable! We imagine that all foreign merchants, fully knowing that

such would have been the treatment, would have found no difficulty in paying obedience. But Elliot obstinately, adhering to his own views, has deceived and stirred up into contumacy and disobedience all the foreign merchants. Yet can there not be wholly wanting among all of them as many as one or two men of intelligence; but only because the substitution of search has been allowed, they hope to scheme clandestinely to transport, and so effect sales of their opium, little thinking that whenever it shall be seized it will be ascertained what foreigner has brought it, and such foreigner shall be taken and executed. How can he, on the ground that his vessel has undergone search. be so lucky as to escape from the net of the law. It is clear that the cargo-ships, if they really are not guilty of having brought opium, may at once execute the bond in the form required, without trouble or impediment to themselves. If guilty of bringing opium, and sending it off for sale, though they should not execute the bond, yet, when it is otherwise discovered they will incur heavy punishment. Thus, the two expressions, "ship and cargo confiscated, and the parties immediately executed," have reference specially to depraved foreigners who introduce opium. Such as are really good foreigners conducting an honourable trade, why should they be over anxious? As compared with the searching which involves both much waste of time, and also the difficulties of transportation, leading readily to injury and loss, is it not far more speedy and convenient to give the bond in the form required?

As regards the various matters, the arrangement of which is at present commanded, none have yet been rightly arranged. How then can the various foreigners crowd back to Macao? And what is still more improper, some have brought back their families. While we write to the Commodore of the Heangshan station, and to the deputed officer, the Sub-Prefect, Le, that they may expel them, we also copy the replies of their Excellencies, requiring acquaintance with their contents.

As soon as this communication reaches the said Superintendent, let him immediately pay obedience to the matter of their Excellencies' replies, and speedily deliver up at once the murderous foreigner; let him also send home all the depraved foreigners and opium store-ships. If the cargo-ships will give the required form of bond in the same manner as Warner's ship has done, they shall then be permitted to proceed to Whampoa. Such as are unwilling to give the bond and proceed to Whampoa, are required within three days to start off home. All the foreigners and foreign women are instantly to leave. In none of these particulars let any idle expectations be indulged, causing procrastination and so involving seizure and investigation. Let the said Superintendent report to us the measures he will take in obedience hereto, that we may report the same for thorough arrangement. Be speedy! Be speedy! A special communication!

Taoukwang, 19th year, 9th month, 20th day (26th October, 1839).

True Translation.

(signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 25 in No. 1.

Captain Elliot to the Keun-Min-Foo.

Macao, October 26, 1839.

THE commands now received from their Excellencies being of great importance, it is needful to wait until they can be translated, so that the wishes of their Excellencies may be clearly perceived, and the state of affairs fully known by all.

Regarding the person who caused the death of Lin-Weihe, Elliot has no knowledge. The five persons guilty of the offence of riot, have been already on clear and complete evidence adjudged, and have been sent home to receive their punishment—imprisonment and fine.

(Signed) CHARLES ELLIOT.

Inclosure 26 in No. 1.

The Prefect of Nanhiung Chow and the Keun-Min-Foo to Captain Elliot.

October 26, 1839.

YU, &c., and Tseang, &c., officers of the Celestial Empire, send this communication to the English Superintendent Elliot, for his perusal and full information.

Upon the 25th instant we received a reply from the High Imperial Commissioner to our address, forwarding copies of two memoranda from the said Superintendent, and of two communications sent to him. The following is the reply.

The memorandum which Elliot before sent to the said Joint Prefect, was with the design of causing all the ships to give obligations, with his own bond added thereto, after which search should be submitted to; but it wanted the words, "the parties immediately executed." I, the Commissioner with the Governor, treated them with sincerity of purpose, and promised, that if they would indeed subscribe the bond in the form prescribed, they should not need to undergo search. This was a mean of leading them into a direct and speedy road, to bind them by force of good faith and justice. But the foreigners, not knowing good from bad, cast aside the easy to take up the difficult; and went so far as to make the pretext of sailors carrying it, to preserve for themselves grounds whereon to smuggle. For this reason it became the more necessary to be in the highest degree close and strict. It becomes requisite that one or two should be brought to execution before the rest can be cautioned. How can they be suffered, before the fixing of regulations, at once to hurry forward to request permits? I would ask you, what cause there could be to put yourselves in a hurry for these foreigners, when, after having been held back by Elliot, and not permitted to enter the port for more than half a year, till the main part of their goods must have suffered from mould, they still have not yet learned to dread the fire, but seek—so perverse and deceitful are they—to encroach upon our defensive guard? Besides the requesting of permits has reference to the ships entering the port. On this occasion are the ships, indeed, after the removal and search, to enter the port? And, do all the foreign merchants and Elliot consider of returning all of a sudden? From first to last you officers have made no inquiry on these points;—how great your remissness!

I find that the goods at Hong Kong have of late been secretly committed to the Americans, to be conveyed by them into port, to an amount, I know not how great. If search be requisite, the Americans must first be hindered from carrying the goods in for them,—as I have said in my reply to another address. And besides this, the items to be introduced into a series of regulations are not few. How then can hastiness and confusion be suffered?

I, the Commissioner, reckoned that to search a vessel thoroughly would require five days; so that taking forty as the number of vessels, two hundred days would necessarily elapse before the whole search could be completed. Before its completion, the English foreigners, whether families or others, cannot be permitted to return to Macao, and their supplies must still be with strictness cut off. What further then need be said of compradores and servants? But if the bonds be given in accordance with the form prescribed, then everything, without exception, may be as usual. Thus Warner's vessel, having been the first to enter the port, and the cargo merchant Daniel, having been first in obtaining a permit to proceed to Canton, an established form is here; and what is the difficulty in acting in conformity and obedience? Furthermore, I, the Commissioner, having in two former replies to addresses gone over each particular with distinctness, how is it my words are set aside as if unheard? I require of you immediately to report in answer hereto, and, in compliance with my former reply, to drive forth with severity the English foreigners who have successively returned to Macao. If the bond be not settled, there can by no means be any indulgence allowed. We further received an official reply from the High Imperial Commissioner, to a joint representation made by us, of the American ship-master Fokwang having purchased an empty Indian store ship,

in order to convey cargo to Whampao, to trade with. The following is the tenor of the reply :—

The Indian store-ship *Mermaid*, having come to Kwang-tung for the warehousing of opium, has remained so long as six years. Having in this spring delivered up the opium on board, she should have been immediately driven back to her country; but she has been delayed here at pleasure until now. It were difficult to ensure that during this time there have been no clandestine sales of opium made by her; and had she been fallen in with by the naval war-vessels, she must have been burnt, as was the *Virginia*, for a warning of punishment. The ship having now been sold to others, it is still needful to ascertain if the goods on board are of a legitimate nature, before determining regarding her. From this representation it appears that the American foreign merchant who has purchased this vessel, Delano, has also purchased cotton and other cargo from the country ship [*Charles Grant*] *Pitcairn*, and has requested a passport to proceed to Whampoa. I, the Commissioner, having carefully investigated the circumstances, find them attended with much precipitancy and confusion, and it is difficult to sanction them.

Now, after the delivery of the opium this year, it was required that of all the cargo ships of every nation, that they should execute bonds according to the new law; distinctly setting down, that if any brought opium, the men should immediately be executed, and the ship and cargo confiscated to Government. Afterwards, the American ship having been the first to enter the port, on the 11th of June, at which time the particulars of the new law had not been promulgated, the terms used in their bond were somewhat confused and indistinct; and all the vessels successively arriving, the same continued onward without alteration. But now the new law has already been received, wherein it is said, that any foreigners bringing opium to the innerland, shall be immediately executed; the principals by decapitation, the accomplices by strangulation; and the ship and cargo shall be wholly confiscated to Government. All must, therefore, execute the obligation in the form prescribed. At present there are, the Indian ship-master Warner, and cargo-owner Daniell, who have distinctly written it in the form prescribed, and proceeded to Whampoa to trade. Herein may be perceived the unsuspicious and clear mind wherewith they conduct an honourable traffic, and therefore they have been treated with a redoubled degree of kindness. Consider how, seeing that the Indian country vessels have given the bond after the prescribed form, a just equality can be maintained, if the Americans should not give it in the same form! All American ships hereafter arriving, shall be required to give the bond in this form, ere they shall be permitted to proceed to Whampoa; and still more will it be impossible to allow this ship to enter the port, if the bond he not written in the prescribed form; seeing that she has been a country store-ship now empty, and that her cargo is now cotton, taken from on board a country ship. Moreover the Superintendent Elliot, having now requested that the country cargo ships may be searched by officers, it becomes necessary that distinct limitations should be set. If American ships import for the country ships their cargoes, it is the more necessary that the bond should be given in the form prescribed, ere they receive permission to go to Whampoa; and if not so, they must remain among the number of the country ships, and undergo search: the Americans shall not be allowed to import for them. Thus perfect truth may be obtained herein, and the general accord be freely given.

Besides addressing the Naval Commander-in-Chief that he may send war vessels from Shakok, to intercept the ship *Mermaid* and to require of her to give the bond as prescribed, before she be allowed to proceed to Whampao; besides also writing to the Governor and to the Superintendent of Customs, that they may examine into the matter; I likewise require that commands be enjoined on the English and American Superintendents, foreign merchants and the Hong merchants, Howqua and the others, that one and all may pay obedience without opposition.

Having received this, we, besides giving orders severally to all the American merchants, and to the Hong merchants, that they may one and all pay obedience, proceed at the same time to communicate the same for information. On this communication reaching the said Superintendent, it will be his imperative duty to pay implicit obedience to the matter of his Excellency's reply. For all the cargo ships there are, it must be required to subscribe bonds in the same form

as

as Warner has done for his ship. They will then be permitted to proceed to Whampoa; and all other matters, without exception, may also be arranged as usual. As compared with the removal and search, how much more speedy and straight-forward! They must not be allowed secretly to commit their cargoes to Americans to import for them. If the giving of bonds be not settled, the English foreigners who have successively returned to Macao, must with all speed be required, one and all, to leave it, nor be allowed in the least degree to linger, so as to involve seizure and investigation. In all these things be there no opposition. Be speedy! be speedy! A special communication.

Taoukwang, 19th year, 9th month, 20th day (26th October, 1839.)

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 27 in No. 1.

The Commissioner's Deputies to Captain Elliot.

October 27, 1839.

YU, &c., and Tseang, &c., Officers of the Celestial Empire, send this communication to Elliot, the English Superintendent, for his perusal and information.

The said Superintendent has presented a memorandum of the following tenor:—

"The commands now received from their Excellencies being of great importance, it is needful to wait until they can be translated, so that the wishes of their Excellencies may be clearly perceived, and the state of affairs fully known by all.

"Regarding the person who caused the death of Lin Weihe, Elliot has no knowledge. The five persons guilty of the offence of riot, have been already, on clear and complete evidence adjudged; and have been sent home to receive their punishment—imprisonment and fine."

Whatever is contained in the commands of their Excellencies is always of importance. He is desired immediately, and with all speed, to have these commands translated, that all may have knowledge thereof. It is imperatively necessary that in each particular, obedience should speedily be paid, and matters securely arranged, without the least delay.

Regarding the murderous foreigner, who killed Lin Weihe the commands of the high officers have repeatedly required his delivery,—nor this a few times only. And I, Yu, have been specially sent to urge the same. But the said Superintendent has this long while resisted his delivery, and has thus aroused the indignation of their Excellencies; so that in August last they assembled from various quarters the governmental soldiery, and brought them to Macao, stopping the supplies of the English foreigners, and inspiring great dread of their power. How is it that the said Superintendent remains yet devoid of fear and alarm!

We find, moreover, that in the repeated papers before sent in by him, he always made it his pretext, that although five persons had been apprehended, they had not yet been tried: that as soon as the truth should on trial be elicited, he would respectfully request officers to witness their punishment; and thus he vaguely and confusedly turned the matter over, scheming to gain time. Then, the commands of the high officers were received, requiring the said Superintendent, since he could not elicit the facts by trial, to hand over to the officers the five men whom he had apprehended; that, the whole minds of the officers being applied to the drawing forth of the evidence, it might be ascertained which person had struck a blow causing a wound, and where the wound had been inflicted,—whereby it would not have been difficult to discover the truth, as the stones are discovered when the tide falls.

On the 21st of this present month, I, Yu, received the subjoined reply from the high officers:—"Concerned as murderers in the capital case, there are according to Elliot's statements, five persons: and I, the Imperial Commissioner, have represented to the Emperor, that from among these five must be discovered one principal murderer to answer it with his life; that it is proper to compel the giving up of these five men to be tried; and that if Elliot secretly liberate these five men, he, Elliot, shall be immediately apprehended, and brought to an investigation." We at once had the same correctly copied out, and put in the hands of a merchant well acquainted with the foreign tongue, requiring him to interpret and explain it sentence for sentence, urging the speedy delivery of the men for trial. How is it that the said Superintendent has set it quite aside, regardless of it! And now that he declares, that the five persons guilty of the offence of riot have been already on clear and complete evidence adjudged,—since it is plain, without further question, that the principal murderer must have been among these five,—how comes he to make the absurd statement, that they have been sent home to receive their punishment, —imprisonment and fine? From the hope thus shown of confusing the matter, it is manifest he has the purpose to shelter and conceal the criminals. The said Superintendent, standing in the position of an officer, how is it he knows not the rule, that he who kills a man shall forfeit his life! These foreigners, being within the territory of the Celestial Court, when guilty of an offence, should submit to punishment by the officers of the Celestial Court, as is already established by a series of ancient precedents. And the more so, as this case has been laid before the Emperor. If the matter be longer deferred and trifled with, the Celestial terrors and dreadful wrath will be aroused. Can the said Superintendent, we would ask, bear this heavy criminality?

We proceed again to send this communication, on the receipt whereof, by the said Superintendent, let him at once proceed to deliver up for trial the murderous foreigners; and at the same time give in, forthwith, a true list of the names and surnames of the five persons, and of the vessels on board which they were sailors. And in the several matters on which we have repeatedly written to him, let him speedily pay obedience, and arrange each matter rightly, that we may have it in our power to report the same. Be there no contumacy, bringing criminality on his own head. Be speedy! be speedy! A special communication.

Taoukwang, 19th year, 9th month, 21st day (27th October 1839.)

True Translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 28 in No. 1.

The Commissioner through his Deputies to Captain Elliot.

October 27, 1839.

YU, &c., and Tsiang, &c., officers of Kwangtung, in the Celestial Empire, send this communication.

We have received the following reply from his Excellency the Imperial Commissioner:—

"Upon this occasion, Elliot and all the foreigners having repaired to Macao to deliberate, the Hong merchants distinctly and fully instructed them regarding the difficulties of trans-shipment, and the destruction that the cargoes would undergo: this was no other than the most sincere treatment, wishing that they should be benefited, not injured. And there was Daniell, who had been foremost to execute the bond and send in his vessel, standing by and advising them. How can it be that the said foreigners were all unwilling to listen! But this it is, that Elliot has despotically held them back, and while those of the foreigners who bring opium have joined themselves to him, the foolish and the ignorant of them have been overpowered by Elliot's crafty talk; and, though vexed and disappointed, dare not oppose.

"It is not, however, considered that I, the Commissioner, in my former proclamation,

proclamation, stated plainly, that hereafter all vessels would be required to execute the obligations in the form prescribed; that if not according to the prescribed form, they should upon no terms whatever be admitted to trade; and that such vessels as should, in resistance to my commands, loiter about, should be immediately destroyed by burning. I would ask, then, whether these foreigners wish to conduct a permanent trade, or seek merely to arrange for the removal and search of their cargoes on this occasion, not desiring to have any trade afterwards? This, too, is not considered, that Daniell, having been the Company's fourth Supercargo, his station, name, and prospects, are they not equal to Elliot's! Why is it, then, that these foreigners do not follow Daniell, and execute the bond, but choose rather to submit to Elliot's despotism?

"Now the punishment of death is appointed with special reference to those foreigners who bring opium. If, in truth, they do not bring opium, what hurt or loss is there, since, though the word 'execution' is in the bond, yet no offence involving execution lies against the persons? But if the cargoes be subjected to the trans-shipment and search, the scattering about, washing away, and destruction of goods will be such as to cause very great loss. Those that are good foreigners, then, must desire the bond, and not the removing search. But the depraved foreigners, who aim at selling opium, fearing that they will incur the heavy punishment, dare not give the bond in the form prescribed. This is the way, then, in which the good and the bad can be distinguished.

"I, the Commissioner, have by my inquiries, learned, that of late the vessels at Hong-Kong have in great numbers sent away schooners with opium, to proceed stealthily to the eastward and westward, there to dispose of it. Thus from Kwanghai to the westward, the visits of four vessels have been reported; and from Pinghae to the eastward the visits of three vessels; all of which have been pursued by the naval vessels in those places stationed, and have thereupon fled and made their escape. And besides these there must be others afterwards reported. Thus the depraved foreigners, when they found there were commands permitting the search of their vessels, immediately took the opium that was on board of them, and removed it into these schooners, sending the poison flowing eastward and westward. Between this and the selling opium at Hong-Kong, what is the difference? But, if they do not sign the prescribed bond, but only submit to search, not merely will those who bring opium be executed, whenever the opium may be found on board the vessels in which they are; but also, should it have been put on board schooners, to be conveyed to the eastern or western coasts of China, in quest of a market, as soon as discovery and seizure shall be made, it will be inquired what foreigner has brought it, and the actual person shall be executed. It will be vain for him to hope for indulgence and leniency, on the pretext of his vessel having before undergone search. Let the officers to whom this is addressed, make this point known with severity and earnestness; and ascertain what reply all the foreigners will make to it. If the foreign merchants are willing to act in obedience to my commands, and Elliot continues to hinder them, it will certainly be requisite immediately to seize Elliot and send him before me, the Commissioner, to await severe treatment. There must be no encroachment—no indulgence. Be earnest! Be earnest!"

We have further received the following reply from his Excellency the High Commissioner:—

"In the three addresses that I have consecutively received from you, I find that my deputy makes it his chief object to bring his mission to an end; that the Joint Prefect makes it his chief aim to have the ships apply for passports; that the English foreigners make it their chief end to return to Macao; while with me, the Commissioner, the prime and chief object is, the obtaining of the bonds. If they cannot be compelled to give the bonds according to the prescribed form, then none of the other three things shall be allowed.

"Here is the instance, now, of the ship *Mermaid*, to which the Joint Prefect yesterday stated that he had given a passport. This vessel arriving to-day at Lankeet, I, the Commissioner, requested the naval Commander-in-Chief to send his Commodore, and a subordinate officer, to declare my commands to her, whereon immediate obedience was paid, and the bond given in the form required. By this it may be seen that these foreigners are not unteachable; but it shows what is the degree of force, or lack of it, with which my commands have been impressed.

"That the English foreigners should not be allowed hastily to return to Macao, I have in repeated instances declared, and commanded and urged their speedy expulsion. How can you still prefer a request for their return, stating that all these foreigners say, that all things are now arranged agreeably to my commands! Let it be asked, are the bonds given? Is the murderer delivered up? Of others matters I say nothing. I require that they speedily and with severity be driven out. Suffer no longer delay or addition to their numbers, that you bring not investigation on yourselves also."

These replies having been received by us, we proceed to send this communication. When it reaches the said Superintendent, let him immediately act in obedience to the commands of his Excellency, and speedily arrange rightly each matter. If he longer resist, and refuse obedience, it will be impossible for us to connive thereat. We can but pay trembling obedience to his Excellency's commands; and in concert with the deputed military officers, put ourselves at the head of the military and police, surround all the foreigners, each by name, and send them to the presence of his Excellency the Commissioner, to await severe treatment. The said Superintendent bears a name for knowledge of affairs; let him not continue obstinately blind from first to last, so bringing shame and disgrace on himself. With earnestness—with earnestness. A special communication.

Taoukwang, 19th year, 9th month, 21st day (October 27, 1839).

True Translation.

(Signed) J. Robt. Morrison,

Chinese Secretary and Interpreter.

Enclosure 29 in No. 1.

The Commissioner and the Governor of Canton to Captain Elliot.

October 27, 1839.

LIN, High Imperial Commissioner, &c., and Tang, Governor of the two Kwang, &c. &c., give commands to the English Superintendent Elliot, for his full information.

On the 14th October, we received from the said Superintendent a representation, of the following tenor:—"The arrangements required are plainly understood; and it will not be difficult to arrange all things agreeably thereto. Concerning the apprehension of the murderer of Lin Weihe, Elliot will report to their Excellencies as soon as he is discovered, to the end that he may be placed on his trial. He will proceed to Macao on the 15th instant, for the purpose of concluding these affairs."

We, the Commissioner and the Governor, considering that on this occasion he would surely arrange matters in obedience to our commands, and the form of obligation before given by the said Superintendent being in general nowise different from, and wanting only the addition of a few words to assimilate it to, the required form; moreover, Warner, a ship master, and Daniell, a cargo owner of the said nation, having executed the bond,—the form of it clear and distinct, in no way presenting any difficulties, so that it was the more easy for him to declare it to all the foreign merchants, and require their compliance; under these circumstances, who would have thought that the said Superintendent still would not command them to comply and execute the bond duly; but would merely declare their readiness to be searched! He does not in the least consider, that, when this request to search was inserted by the said Superintendent among his propositions, a month before; and when he furthermore stated that all the vessels should each be required to execute a bond, before being permitted to trade, and then should be subjected to search besides;—we, the Commissioner and the Governor, had it been unnecessary for us to resolve on a form of bond, might have permitted the proposition at once to go into operation; and why then should we so often have issued our commands, or in so many ways have admonished?

The grounds of our conduct were truly these:—The merchant ships of the said nation having, in the first instance, been hindered by you, and delayed for half a year, if now they should be required to tranship all their cargoes, and be

subjected

subjected to search, each large vessel would require fifty or sixty chop-boats completely to unload her; so that, as there now remain only some tens of chop-boats within the river, and as the passage to and from, in the transport of their cargoes, would take at the least five days ere a vessel could be entirely emptied, it would thus require 200 days, the number of vessels being reckoned at forty, before the search could be finished. And could all the foreign merchants indeed wait 200 days before carrying on their trade? Or could all their families indeed wait 200 days before returning to Macao? This was one difficulty.

Again, in the removal of the cargoes and search, it would be impossible to allow unfaithfulness; and it would be requisite, not regarding whether an article were of a coarse or fine description, to take off the lashings and count each article; or if very coarse and heavy, it would be requisite to insert an iron probe to ascertain if there were any opium within. The insertion of the iron probe could not but injure a portion, and the unlashing of the packages must needs cause some loss. Add to this the tossing about on the sea, with winds and waves inconstant, and the consequent washing away and destruction of the goods,—a circumstance of common occurrence. Here was a second difficulty.

And after the search, when the lighters should carry the cargoes into the port, it would be necessary to have at least two persons accompanying each boat; and so, each large ship dividing its cargo among fifty or sixty lighters, it would be requisite to send away about 100 men. And could each vessel have so many men to send? If they should not send persons to accompany the boats, it would be hard to insure that nothing should be lost; and as the Chinese officers would have no means of recovering what was so lost, to give tongue about it would then be of no avail. On the arrival, too, of the boats at Whampoa and at Canton, the goods, being put into the hands of others, could not be under the parties' own control. This was a third difficulty.

We, the Commissioner and the Governor, loving and compassionating all the foreigners, and being unwilling that they should suffer this loss, therefore resolved to arrange for them a mode of operation, by which, such as would execute the bond in the form prescribed, should be allowed to escape the search,—thus leading them in a path, short and convenient, and showing them the full weight of faithfulness and justice. Such a disposition would we extend, indeed, to all the foreigners; but these foreigners still will not understand, and are willing to undergo the trouble of being searched. And when we examine, what are their stupid and obscure thoughts; we find only that they regard as ill-looking the words "the parties immediately executed." They will not consider that when "execution" is spoken of, it is in sole reference to those persons who bring opium. If they indeed bring none, what obstruction or difficulty can there be to the execution of the bond? Thus Daniell, having executed the bond, and sent his ship to Whampoa, he was immediately at liberty to trade. And thus, the Americans having bought the store-ship *Mermaid*, and the cotton of the country ship *Charles Grant*, upon bringing to Chuenpee, did yesterday, in like manner, give the bond in the form prescribed, and proceeded to Whampoa, without requiring to be searched. Is not this a direct, straightforward, and respectable mode of proceeding? The unwillingness to execute the bond in the form prescribed, is plain evidence of the desire to continue smuggling. This disposition is too clear to render necessary any inquiry. But they forget to consider how impossible, when the opium is discovered, it will be to have the luck to escape instant destruction.

Nor is this all. Of late the ships at Hong Kong have been in the practice of clandestinely sending their opium away in schooners, to the eastward and the westward, to be disposed of. This is nowise different from selling it on the spot. In the present measures for discovering it, not only will the parties bringing opium be executed whenever it may be found on board their vessels, but whenever, by the apprehension of persons sent in schooners to sell the opium, to the eastward or the westward, it shall be discovered what persons have brought it, those persons shall equally be executed. Thus, then, the punishment will be the same, though the bond be not executed as prescribed. Of what longer use then is the anxious haste of these foreigners to escape?

The other day, the said Superintendent joined to himself several foreign merchants, to repair to Macao and deliberate. This would seem as though these men were such as had an acquaintance with affairs, and that this was the

cause of consulting them. But I have heard that they had the daring presumption to carry forcibly their opinions, that they were foremost in contumacy and opposition, and that they employed coercion to prevent the smaller merchants giving the bond. How exceedingly hateful is such perverse and obstinate exercise of compulsion! There can be no doubt from this that they are depraved individuals, engaged in the sale of opium. We, the Commissioner and the Governor, before did indeed determine to give a modified arrangement: but now, since we have become aware of these circumstances, we assuredly cannot bear with their contumacy and trifling. Those foreign merchants who went to Macao, to lord it in the deliberations, being unwilling to give the bond,—all of them must be refused permission to trade, and be compelled to take their departure to return to their countries.

It is requisite you should know that the permission which the Celestial Court gives you to trade here, arises from the principle of showing tenderness towards men from afar. If you fail to obey implicitly the laws, what will be the difficulty of cutting off your commerce?

With reference to the expulsion, on the previous occasion, of the said foreigners from Macao, and the inhibition of their being supplied,—it was declared at the time, that when they should give up the murderous foreigner, in the case of homicide, and in every particular should fully obey the laws, they should then be allowed to return to Macao. But now, not only has the murderous foreigner not been delivered up, but also in the matter of the bond, they are acting with all this contumacy and opposition. And yet the said foreigners are crowding back to Macao, and bringing their families back with them. How can they be suffered there to remain and dwell! Orders have been given to the civil and military there to drive them forth with severity; and at the barrier and other places the governmental soldiery are to be stationed. If they again delay and do not depart, they shall, of a surety, be immediately encompassed and seized.

Again, it appears from a report now received from the Magistrate of Sinning, that, on the 26th of September, four foreign vessels, of different sizes, were off Pakshik Kok, near Kwanghai; and that their people killed Le Yusien, an unoffending native, with a spear, (or musket,) and cast his body on the water; that then, passing into the (native) vessel, with swords in their hands, they struck down and wounded Choo Hungan, and two other unoffending natives, and cut off the tails of seven men. When the war-vessels then came up in pursuit, the foreign vessels, taking an eastward course, escaped to sea, and again returned to Hong Kong. Most wonderful and astonishing are these things! Off the coast of Kwanghai there is no foreign trade carried on; and the said foreigners should not therefore have gone thither: how much less should they have attacked men, in open day, killing one, wounding three, and cutting off the tails of seven! And such degrees of lawlessness, how are they to be borne with? It behoves us to require of the said Superintendent to ascertain by name what were the four vessels, of various size, that sneaked into the Kwanghai waters, and what the names and surnames of the foreigners who killed and wounded the Chinese. Let him report the facts truly, to enable us to inflict punishment.

Further, three foreigners, Simon and two others, have been seized as sellers of opium, off Hainan, also to the westward. And they have deposed that the ship master Parry, sent Erskine on board a two-masted vessel, to proceed to the westward, to an offing, the name of which they do not know; and that twenty chests of opium having been put on board Pilik's (Philip's?) vessel, and eight cases of silver received in return, there were still eighty chests of opium on board, when the war-vessels appearing in pursuit, their schooner made off. Parry, I find, is the master of the *Hercules*, and, in truth, the head of the opium sellers. It behoves us to require the said Superintendent to hand him over for examination and trial.

For the rest, the traitorous Chinese on board the foreign vessels, we find more numerous the more we inquire. Before, we commanded that they should be given up, and the said Superintendent gave it no thought. It seems, for the most part, that these foreigners cannot be aroused or influenced by good words. And we, the Commissioner, and the Governor, have no course left, but to send out war-vessels to proceed to Hong Kong, to surround and apprehend all the offenders, those connected with murders, and those connected with opium, as well

well as the traitorous Chinese, concealed on board the foreign vessels. We take occasion distinctly to make this known, to enable you to be prepared. We, the Commissioner and the Governor, conduct affairs open to the broadest light of equity, and are not willing to come on any unexpectedly. A special order.

Taoukwang, 19th year, 9th month, 21st day (27th October 1839).

True translation.

(Signed) J. Robt. Morrison,
Chinese Secretary and Interpreter.

Inclosure 30 in No. 1.

Captain Elliot to the High Commissioner and the Governor of Canton.

Macao, October 29, 1839.

ELLIOT has received the communication of their Excellencies, dated on the 27th instant, containing the statements of outrages committed upon the coast, which have filled him with sorrow and shame.

He again and again declares, that the British Government will give no protection to the men of his nation pursuing these guilty and sordid practices. But concerning these spoken of, Elliot knows nothing. They have not taken place within the circle of his authority; and he can solemnly aver that he has used his best efforts to prevent them, wherever his power extends. It is utterly false to say that he has given these, or any other shameful deeds, his countenance.

Concerning all other matters touched on in their Excellencies' communications, Elliot has already replied fully.

(Signed) CHARLES ELLIOT.

No. 2.

Captain Elliot to Viscount Palmerston.—(*Received March* 27, 1840.)

Her Majesty's Ship Volage,
My Lord, *Tong Koo, November* 17, 1839.

I HAVE hitherto refrained from transmitting the accompanying Paper to your Lordship, because there was no certainty that the contents had reached the Commissioner,—the Macao Mandarins having returned me the original at the time it was presented upon some pretext of informality.

It escaped from Howqua, however, during the late negotiations, that he had seen a copy of it; and I perceived that he considered it to be a document of great weight. I subsequently ascertained that the Keun-Min-Foo took copies of it, and forwarded one to the Commissioner; and I further collected that it had been transmitted to the Court through private channels, and produced much impression in that quarter. It substantiates this statement, that the Commissioner has taken occasion to reply to some of the reasoning in his later papers; with what success, it is not for me to judge.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

P.S.—I should have said that I thought it right to publish a copy of this paper at the time it was issued, for the reasons mentioned in the notice which accompanies it.

Inclosure 1 in No. 2.

Captain Elliot's Declaration.

Macao, June 21, 1839.

ELLIOT, &c., &c., learns that official notices have been publicly placarded, and sent to the ships of his nation, inciting the English merchants, commanders,

and seamen to disregard his lawful injunctions, issued in the name of His Most Gracious Sovereign. But wherefore are these notices silent upon the causes which have produced the conclusion of trade and intercourse at Canton? The High Commissioner has published his own communications to Elliot, but where are the replies?

These proceedings are highly inconsistent with the principles of peace and dignity; and Elliot must now declare the motives which have compelled him to require the merchants of his nation to leave Canton, and the ships no longer to return within the Bocca Tigris.

On the 24th of March last, Elliot repaired to Canton, and immediately proposed to put an end to the state of difficulty and anxiety, then existent, by the faithful fulfilment of the Emperor's will; and he respectfully asked that he and the rest of the foreign community might be set at liberty, in order that he might calmly consider and suggest adequate remedies for the great evils so justly denounced by His Imperial Majesty.

He was answered by a close imprisonment of more than seven weeks, with armed men day and night before his gates, under threats of privation of food, water, and life. Was this becoming treatment to the officer of a friendly nation, recognised by the Emperor, and who had always performed his duty peacefully and irreproachably, striving in all things to afford satisfaction to the Provincial Government?

When it thus became plain that the Commissioner was resolved to cast away all moderation, Elliot knew that it was incumbent upon him to save the Imperial dignity, and prevent some shocking catastrophe on the persons of an imprisoned foreign officer, and two hundred defenceless merchants.

For these reasons of prevailing force, he demanded from the people of his nation all the English opium in their hands, in the name of his Sovereign, and delivered it over to the Commissioner, amounting to 20,283 chests. That matter remains to be settled between the two Courts.

But how will it be possible to answer the Emperor for this violation of his gracious will, that these difficult affairs should be managed with thoughtful wisdom, and with tenderness to the men from afar? What will be the feelings of the most just Prince of his illustrious dynasty, when it is made manifest to him by the command of Her Britannic Majesty, that the traffic of opium has been chiefly encouraged and protected by the highest officers in the empire; and that no portion of the foreign trade to China has paid its fees to the officers with so much regularity as this of opium.

Terrible, indeed, will be His Imperial Majesty's indignation when he learns that the obligations into which the High Commissioner entered under his seal to the officers of a foreign nation, were all violated.

The servants were not faithfully restored when one-fourth of the opium was delivered; the boats were not permitted to run when one-half was delivered; the trade was not really opened when three-fourths were delivered: and the last pledge, that things should go on as usual when the whole was delivered, has been falsified by the reduction of the factories to a prison with one outlet,—the expulsion of sixteen persons, some of them who never dealt in opium at all, some clerks, one a lad,—and the proposal of novel and intolerable regulations.

Can a great moral and political reformation be effected at the sacrifice of all the principles of truth, moderation, and justice? Or is it believed that these spoliatory proceedings will extinguish the traffic in opium? Such hopes are futile; and the Emperor has been deceived.

But is it asked, on the other hand, whether the wise and just purposes of the Emperor cannot and should not be fulfilled? Most assuredly they can; and they ought.

It is certain, however, that the late measures of the Commissioner have retarded this accomplishment of the Imperial pleasure,—given an immense impulse to the traffic in opium, which was stagnant for several months before he arrived,—and shaken the prosperity of these flourishing provinces.

It is probable that they will disturb the whole coasts of the empire,—ruin thousands of families, foreign and native,—and interrupt the peace between

between the Celestial Court and England, which has endured for nearly two hundred years.

The merchants and ships of the English nation do not proceed to Canton and Whampoa, because the gracious commands of the Emperor for their protection are set at nought; because the truth is concealed from His Imperial Majesty's knowledge; because there is no safety for a handful of defenceless men in the grasp of the government at Canton; because it would be derogatory from the dignity of their Sovereign and nation, to forget all the insults and wrongs which have been perpetrated till full justice be done; and till the whole trade and intercourse be placed upon a footing honourable and secure to this empire and to England. That time is at hand: the gracious Sovereign of the English nation will cause the truth to be made known to the wise and august Prince on the throne of this empire; and all things will be adjusted agreeably to the principles of purest reason.

Elliot and the men of his nation in China submit the expressions of their deepest veneration for the great Emperor.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 2 in No. 2.

Public Notice to Her Majesty's Subjects.

Macao, June 21, 1839.

THE Officer deputed by the Commissioner and the Keun-Min-Foo having caused certain notices to be publicly placarded at Macao, inciting British merchants, commanders, and seamen, to disregard the lawful injunctions of the Undersigned, he has this day transmitted to those authorities the accompanying Declaration. A copy of the same will be submitted to the Commissioner.

(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 3.

Captain Elliot to Viscount Palmerston.—(Received March 27, 1840.)

Her Majesty's Ship Volage,
My Lord, *Tong Koo, November* 17, 1839.

REFERRING to my despatch of the 5th instant, I have now the honour to acquaint your Lordship that no communication has reached us from this Government since the affair at Chuenpee on the 3rd; and it is generally said that the Commissioner will abide the result of his report to the Court before new measures be taken. If he has reported at all, the replies may be looked for in about a fortnight.

Upon our side there is of course nothing to do but carefully to watch proceedings, and repel any renewed onward movements which may be attempted.

In the mean time, I have felt it my duty, in concurrence with Captain Smith of Her Majesty's ship *Volage*, to require the removal of the British merchant shipping to this anchorage, open only at two points; and, therefore, less exposed to surprise th n Hong Kong.

It has also the advantage of being twenty miles nearer to Macao and the Bocca Tigris, both which places require to be attentively watched under present circumstances.

It is to be regretted that the repeated efforts I had made to this effect should have been ineffectual, till the Chinese had the time to bring a few guns to one or two points in the neighbourhood of the anchorage: for although the shot did not reach the ships, still it were to be wished that they should have left the anchorage before any fire were opened in this direction.

I believe there was a desire upon the part of certain of Her Majesty's subjects that these few troops should be forcibly dislodged, which, indeed, might have been easily done. But Captain Smith agreed with me that all hostility, except such as should be forced upon us in the defence of the merchant-ships actually annoyed by attack, should be carefully avoided; more particularly in that situation where it was felt they ought not to have been and ought not to continue.

If conflict be inevitable under present circumstances, it is at least to be desired that it should take place as far as possible from the station of a large merchant-fleet, necessarily ill-prepared to make movements under sudden fire. We thought that the removal of the ships to the position we considered most secure from attack, or where defence could be most effectually made, if they were attacked, was a more reasonable proceeding than the protraction of inconvenient hostilities, to the end that they might remain in a less safe situation for the purpose of needlessly and (looking to the condition of most of the ships) somewhat hazardously braving the Chinese.

The Inclosures will place your Lordship in possession of all the most important communications which have passed on this subject.

I have, &c.,

(Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 3.

Captain Morgan and others, Commanders of British Vessels, to Captain Elliot.

Sir, *Hong Kong, October* 26, 1839.

WITH reference to your public notice, dated 26th of October, requiring all British ships to proceed to Tongkoo Bay, the anchorage at Hong Kong being liable to surprise by fire-ships and war junks, we the Undersigned, Commanders of British ships at Hong Kong, beg that you will take into consideration the very great advantages that the present anchorage of the shipping has over that of Tongkoo Bay. The tides at Tongkoo being much stronger and more regular than here, would afford greater facilities for sending fire-rafts down, than at this place, where, if the shipping are moored on the North side of the bay, it would be almost impossible to annoy them with fire-rafts; and as most of the cargoes will most probably have to be transhipped to other ships, this bay is more advantageous than Tongkoo Bay for that purpose. Supplies of water and provisions are at present easily procurable at this place, and it is doubtful whether they would be at Tongkoo.

We therefore request that the ships may remain here (of course under the protection of the men-of-war) unless there are other and more urgent reasons for the removal of the shipping, of which we are ignorant. We trust we shall not be considered presuming too far, if we request that before a fleet of ships, such as are now here, are to be removed from one anchorage to another, that some explanation should be afforded, and the opinions of some of the more experienced amongst us be taken on a subject of such great importance to the ships and cargoes under our charge.

We have, &c.,

(Signed) M. CRAWFORD, Ship *Belhaven.*
WILLIAM MORGAN, *Scaleby Castle.*

JOHN

(Signed)	JOHN A. GRIFFITHS,	Ship *Ann.*
	THOMAS WILLS,	*Charles Forbes.*
	JAMES SCOTT,	*Earl Clare.*
	JOHN ROBERTSON,	*John O' Gaunt.*
	JAMES LYON,	*Sir Charles Malcolm.*
	GEORGE CREIGHTON,	*Cordelia.*
	FARQR. MACQUEEN,	*Vansittart.*
	THOMAS GREEN,	*Triumph.*
	EDWARD PARRY,	*Governor Findley.*
	THOMAS WRIGHT,	*Giraffe.*
	RICHARD AINSLEY,	*Queen Mab.*
	JOHN MC CUTCHEON,	*Jean.*
	JAMES LAIRD,	*Carnatic.*
	W. PITCAIRN,	*Charles Grant.*
	ARCHD. REED,	*Tory.*
	OR. CUNNINGHAM,	*John Horton.*
	JAMES CLARK,	*Cornwallis.*
	GEORGE T. AIREY,	*Mangalore.*
	D. GARDYNE,	*Hannah.*
	H. FRETWELL.	*Heroine.*
	JOHN F. BURN,	*Caledonia.*
	W. BUTLER,	*Ruparell.*
	JOHN HAWKINS,	*John Marsh.*
	WILLIAM PEARSON,	*Manilla.*
	W. LUGRIN,	*Atiel Rokoman.*
	AN. CLARKE,	*Allalivie.*
	H. HALE,	*A. Baring.*
	WILLIAM CLARK,	*Jane.*
	JAMES PETRIE,	*Slains Castle.*
	G. B. HOGG,	*Fort William.*
	DONALD STEWART,	*Helen Stewart.*
	J. HICKMAN,	*Fairie Queen.*
	E. EVANS,	*Shah Allam.*
	J. L. GALLIE,	*Rustomjee Cowasjee.*

Inclosure 2 in No. 3.

Captain Elliot to Captain W. Morgan, and others.

Her Majesty's Ship Volage,
Gentlemen, *Hong Kong, November* 8, 1839.

I HAVE the honour to acknowledge your letter of the 26th ult. I find, upon enquiry, that the original must be lying at Macao.

Public considerations, which appeared to me to be of sufficient force, led me some time since to recommend a removal to the anchorage at Tong Koo; and events of subsequent occurrence carried me to the conclusion that it was incumbent on me to require that step, in still more urgent terms. Convenience of commerce is a consideration which must always have its due weight; but situated as we are, others of primary importance present themselves, to which that one must be postponed.

I am well acquainted with the anchorage at Tong Koo, and find myself equal to form a sound opinion upon its suitableness, in all the respects of safety, convenience for the supplies, and neighbourhood to other points requiring attention; and needing no information, I have not felt it necessary to seek advice upon a subject which it forms part of my duty to dispose of upon my own responsibility, and according to the best of my own judgment.

I have, &c.,

Signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 3 in No. 3.

The Agents for Lloyds, and others, to Captain Elliot.

Sir, *Hong Kong, November* 9, 1839.

A LETTER having been addressed to you on the 26th ult., by thirty-five commanders of British ships, setting forth the superior advantages of this anchorage, and the risks and inconveniences attendant on the contemplated removal to Tongkoo of the British shipping now here, we beg leave, in behalf of the extensive interests collectively represented by us as Merchants, Agents, and Underwriters, to express our entire concurrence in the sentiments of that letter; and our hope that they may also be approved of by you.

We would further remark, that while the removal of the shipping from this anchorage would be viewed by the Chinese as a retreat from their force, and as an encouragement to further acts of aggression, it cannot be doubted that they will bring an equal force to act against us, at whatever other anchorage may be resorted to, outside the Bogue. It is likewise to be apprehended, that were the British shipping to quit this anchorage, it would immediately be so occupied and fortified by the Chinese, as to preclude our return to it in the south-west monsoon, when no other, affording equal shelter, and suitable for purposes of business, at that boisterous season of the year, is within our reach.

We therefore hope it will suit you, and the Commanders of Her Majesty's ships to afford the same protection as heretofore, to the British shipping, without the necessity of their removing from an anchorage so universally preferred as that now occupied.

We have, &c.,
Signed by twenty Firms, the Agents for Lloyds, and for eleven Insurance Offices.

Inclosure 4 in No. 3.

Captain Elliot to Messrs Eglinton, Maclean, & Co., and others.

Her Majesty's Ship Volage,
Gentlemen, *Hong Kong, November* 11, 1839.

THE grounds upon which I first recommended, and then required the removal of the British shipping to Tongkoo Bay, have been maturely considered, and, in the present situation of circumstances, I perceive still stronger reasons for that step without delay.

Adverting to your impression, which the removal of the shipping may make upon the Chinese, I will only remark, that whilst it is to be regretted that any room should have been left for misconception of this description, still I do not feel warranted in sanctioning the continuance of the shipping at what I hold to be an unsuitable station, by reason of the possibility that the Chinese should ascribe their departure to wrong motives. The measure recommends itself to me, because I think it right and highly convenient for the general public interests confided to me.

A proper situation for the shipping in the south-west monsoon will not be difficult of selection (be it here or elsewhere) when the period for meeting that exigency arrives.

It is always my disposition, gentlemen, to fulfil the wishes of the merchants; but I cannot abandon my strong public opinions and impulses to my personal inclinations. I hope to be excused for once more recommending and requiring the immediate removal of the British merchant shipping to Tongkoo Bay.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 4.

Captain Elliot to Viscount Palmerston.—(*Received March* 27, 1840.)

Her Majesty's Ship Volage,
My Lord, *Tonghoo, November* 28, 1839.

IT is a most remarkable circumstance, that throughout the whole course of persecution which has marked the Commissioner's career, he has never ventured upon the expedient for coercing Her Majesty's subjects, which finds so prominent a place in all Chinese State Papers respecting foreign management, —that is, by an effectual stoppage of the Trade. For the last six months, and up to this day, the British trade has constantly proceeded; not indeed directly, but in American and other foreign bottoms: and it is a striking and gratifying fact, that up to this time the lawful import trade of the current year, as well in the Indian staple of cotton as in every description of British goods, has been done more advantageously than any of a like period since the close of the Company's Charter in 1834.

The additional expense of the carriage necessarily falls upon the consumer; and the impossibility of calculating upon the Commissioner's measures from hour to hour has incited the native purchasers to speculate extensively, and take off the cargoes at highly advanced rates. Here, my Lord, is the just explanation of this state of things; and there is no ground for the complaint which may reach the ears of Her Majesty's Government, that large profits and less expense would have accrued to British holders of goods and ship-owners, if the ships had proceeded to Whampoa. The reverse is the fact; for in such a case the holders of goods must either have made no sales, or have disposed of them at far lower rates than they have, and the ships must have paid the heavy port charges. The high prices, in short, are prices of mere speculation, not arising from the state of the markets, but from the pressure of political circumstances, left to the management of a powerful but ignorant man, whose next movement is always beyond calculation. Neither has the great body of the shipping been detained one day longer than it would otherwise have been. The ships in the regular country trade never leave China before this period, and they are now departing daily, having discharged their cargoes. In less than six weeks (accident apart) the whole will have been discharged and have gone away. With respect to the home-trade, the season for shipping cannot be said to commence (judging from the experience of the last five years) till the end of December; and, therefore, upon that score there can be no ground for complaint yet. In fact, my Lord, my own deep regret for the breaking up of the late arrangement, is unmixed with any uneasiness on commercial grounds; for the actual state of things is more advantageous to the trade of the current year, than a settlement which would necessarily have thrown a large mass of imports upon the market suddenly; and have allayed those feelings of uncertainty on the part of the Chinese which are the spring of their present activity as purchasers. My concern arises from the perception that the arrangement involved a great principle,—namely, a regular outside trade; if once it had been set in operation, there would have been no difficulty in maintaining and improving it. At first, indeed, there would have been attempts to force us *in* by trammels *outside;* but while all the ships remained without, these efforts would have gradually abated for the convenience of the Hong merchants and Mandarins themselves. The British merchants would have resided in comparative safety at Macao; the ships would always have been out of the grasp of the Government. Macao must, day by day, have been more extensively used as a port of safe deposit for valuable British goods, that are now obliged to wait for a market in the Hongs of bankrupt merchants; and are frequently forced to a sale for the sake of recovering any returns at all. As a general consideration too, it was a matter of vast moment that the British trade should once more be carried on in a direct recognized form; and not by mere connivance

through the medium of foreigners. All these advantages have been cast away by the entrance of the ship *Thomas Coutts*, upon shameful and dangerous conditions.

It is pretended by the Government, that the open state of the trade is to be attributed to the Commissioner's consideration for the Americans, who have signed the bond of consent; but his Excellency must have learnt, by this time, that the chief convenience is to us. The Americans arrive here, for the most part, in ballast; bringing paper upon British credits to purchase their return cargoes. The cargoes they have carried to Canton are British property transhipped outside; and all this is as well known to the Chinese as to ourselves. It may, I think, be depended upon, that there would have been no consideration at all for the Americans, or their profits as carriers in this new course of outside trade which the Commissioner has contrived to create, if the experiment of forcing the British into submission by an effectual stoppage of trade could have been tried, without excessive danger to the tranquillity of these provinces from the failure of revenue, and the total stagnation of employment amongst the hundreds of thousands of people living day by day on the foreign trade. And your Lordship will give me leave to notice that, when there is no British import trade there can be little or no trade with this empire; because, at least eleven-twelfths of all that is exchanged with China is British property. American payments for their trade with China must be made in England, not in Canton; and, in the present situation of circumstances, the cutting off the British trade, which the Commissioner frequently speaks of, is a cutting off of the trade with all the western nations,—a departure from that wise policy of avoiding extremities, which I am not disposed to believe the Court will sanction in any more serious form than angry papers.

The British trade is formally cut off at present; but I have never known it carried on with more vigour or advantage; and it is a striking comment upon what I have just said, that the leading American merchants have been constrained to live, for at least four months, not at Canton but at the station of the British merchants,—that is on ship-board, exposed to all manner of privation and danger. Their business at Canton is done by their clerks or junior partners, and they would have no business there at all, if our trade were at a stand. We are now in a situation to judge of the result of the Commissioner's policy for the suppression of the opium trade; and it may be pronounced to be a signal failure, and pregnant with the worst character of mischief to this empire, as it was always reasonable to suppose such an extravagant course of proceeding must prove to be.

He found the traffic stagnant; he has made it flourish in a degree and to an extent that it has never reached before.

When he arrived, and for four months before that date, there had been scarcely any deliveries. The great bulk of last year's supply had accumulated; and the immense stock of the current year was only commencing to come in. In China, prices had fallen to between two or three hundred per cent. below the cost of production and charges; and at Calcutta and Bombay, on the very day that the opium was surrendered in Canton, sales were either impossible or ruinous.

These results had been produced by steady adherence to measures of repression against the consumers; a character of proceeding to which the Chinese system of government and police is well adapted, when its strength is put forth: and my own measures of December last, against the river traffic, had pressed heavily upon the whole,—both in a moral sense, as unequivocally separating Her Majesty's Government from the least countenance of it, and, directly, because that channel remained to the last the best vent for the drug.

But, my Lord, the moment the Commissioner rejected all reasonable projects for working out the solution of the difficult if not impracticable problem confided to him, and drove me to the necessity of ransoming my countrymen by the delivery of all the British opium in China, it was clear to me that he could reap nothing but disappointment and difficulty.

The character of his measures was an acknowledgment of his own sense of helplessness againt the smugglers themselves, either native or foreign.

foreign. A proceeding of that kind upon a handful of defenceless men could never be repeated; and to take away 20,000 chests of opium, already nearly valueless from weight of stocks, was not to extinguish the trade. It turns out, indeed, to be a measure nothing short of salvation to the opium trade, generally considered, whatever it might have been to the actual holders of the particular quantity taken away. But, indeed, that very stock had already fallen to a point so far below its price, that it would be difficult to say, the proprietors would have been in a better condition if the Commissioner had given it to them again next morning. Certainly, looking to future operations, it seems susceptible of proof, that the general market needed the full relief which the Commissioner gave to it, before opium could recover such a price as would repay the mere cost of its production and the other expenses of laying it down in China. But looking still further forwards, and seeing that the traffic has been carried on with incessant vigour and immense advantages since the 24th March last, it must be admitted, that the persons who have continued to pursue it are deeply indebted to his Excellency; and could indeed well afford to sacrifice the price they paid for the opium they surrendered, out of the profits of the opium they could never have sold otherwise, without total ruin. I believe that would be a moderate imposition upon present returns and present prospects; and whilst I am upon this subject I may presume to say, that the Commissioner has fallen upon the single device which left any hope of supporting the Company's opium returns of next year. If he had left the 20,000 chests of opium in the hands of the holders, the Company must have sacrificed their next year's supply. Under present circumstances, I see no reason to doubt that there will be a handsome income from that source. It is greatly to the honour of some of our principal merchants here, that they have steadily adhered to their voluntary pledge to relinquish this unworthy and lawless traffic, under circumstances of intense temptation; and with regard to such of them as stand in that honourable situation, I cannot help expressing the sincere hope that Her Majesty's Government will find it practicable to relieve them from burdens which must press most heavily upon them, and carry out some effectual and comprehensive scheme for their protection in the lawful trade.

The purpose of the Commissioner's policy for the last six months, has been to draw the lawful traders once more within his grasp, hoping to controul and check proceedings outside by the means of pressure within.

I know not why I should hesitate to declare my conviction, that these purposes have only been baffled by my steady determination, never to place the lawful British trade in such a jeopardy again, till I am differently instructed from England; and till the Chinese Government is taught to understand its responsibilities towards that of Her Majesty.

In conclusion, I may once more assure your Lordship that this determination has been attended with no loss to the traders of this year, but greatly the contrary.

I have, &c.,
(Signed) CHARLES ELLIOT,
Chief Superintendent.

No. 5.

Captain Elliot to Viscount Palmerston.—(*Received March* 27, 1840.)

Her Majesty's ship Volage
My Lord, *Tong Koo, December* 6, 1839.

THE Inclosures I have the honour to transmit, are extracts from two letters, or, I should more properly say, information written on scraps of paper by the mate of the late Spanish brig *Bilbaino*, addressed to the Consignee of the vessel, Don Gabriel Yruretogayena, a respectable Spanish merchant resident at Macao.

The writer, with a native of Manilla, "Inocencio del Rosario," fell into the hands of the Mandarins, when the vessel was burnt; and they were taken, as your Lordship will observe in these remarkable papers, first to the Bocca Tigris, and thence to Canton, where, I am distressed to state, they still remain.

The importance of the principle, that bonds of assent to Chinese forms of trial were inadmissible, need not be dwelt upon again. And Her Majesty's Government is now in possession of a specimen of the practice of investigation, which must continue to obtain whilst our intercourse and trade with this country are confined to Canton. In all cases of importance respecting foreigners, it is of absolute necessity, that the procedure should be made to sustain the immediate political purposes of the high officers, and any report which they may find it convenient to render to the Court. Obligations of truth and justice cannot be supposed to present themselves to Chinese officers in matters of a grave nature affecting foreigners. Reports in their favour would be contrary to the immediate interests of the officers of the province, and the policy of the Empire; and the formal acknowledgment of actual error, which had led to the injury of foreigners, would be a suicidal act—so tender is the Court, that it should never hear of any other than their rightful treatment! And, indeed, if means of representation at Pekin were open to us, it is possible we should always be sure of fair dealing; at least the intense anxiety of the Mandarins to report in that sense is a strong proof, that they dread the severest displeasure of the Emperor if they should be convicted of contrary conduct.

In this particular instance, a Spanish vessel (perfectly free of any breach of the laws of this Empire) was lying in the Taipa, till the Macao trade was opened: she is barbarously assailed in the dead of the night by a large force of armed and fire-vessels, and totally destroyed, under the impression that she was English; three innocent persons lose their lives, and two are taken to Canton; not spared from motives of compassion, but because it was necessary, for the purposes of the Mandarins, to cover up a false report.

After a series of infamous deceit and cruelty, mean rather than bloody, but still intensely distressing, the unfortunate mate is harassed into the signing of a declaration, that, though the vessel was not English, when she was burnt, she had recently been so, and was just sold to Spanish owners. And proceedings of this kind are precisely what would have befallen our merchants in Canton, if I had not fortunately arrived there on the Sunday evening in March last, before Mr. Dent was to be carried into the city. And this is the manner of procedure to which British officers and British subjects are called upon to consent that their countrymen should be subjected, whenever they are accused of a breach of the laws of China, or rather whenever a pressed and corrupt functionary at Canton is called upon to exhibit to the Court a proof of his faithful administration of the laws.

To return, however, to the statement wrung from this poor mariner, it may be said shortly that it is false from beginning to end.

The vessel was a Spanish brig, well known to me for the last three years as a regular trader between Macao and Manilla; and I have ascertained, by a careful examination of her papers, that she never belonged to any other persons than subjects of Spain. I cannot of course prove that she was never engaged in the illicit traffic; but I can assure your Lordship that I have most diligently inquired, and I firmly believe she never was; and, moreover, that the Chinese never suspected she was. Indeed, conclusive evidence of this last position is to be found in the fact, that the Chinese do not impute the destruction of the vessel to her own engagement in the illicit pursuits, but to the pretence that she was the English vessel *Virginia*, or that she had lately been an English vessel engaged in the opium trade.

This calamity, my Lord, might as easily have happened to a most valuable English vessel, with men, women, and children on board, at that period hourly expected from London, as to the *Bilbaino;* and I cannot doubt it will seem to your Lordship to be an aggravation of the insult upon Her Majesty's flag, that an outrage intended for British subjects should

should have befallen the property and persons of other foreigners. I need hardly acquaint your Lordship that I offered Don Gabriel Yruretagoyena all the assistance in my power for the recovery of these people on the day after the catastrophe occurred; but he had already appealed to the Governor of Macao, in whose jurisdiction he considered the event to have taken place; and hoping that justice would be secured through that channel, he thought it would be disrespectful to his Excellency to apply to me. He was also afraid that my application for the men might furnish the Commissioner with a pretext for insisting that they were British subjects, and thus enhance their danger.

I must confess, my Lord, I never looked for any successful result from an application through the Government of Macao (not respected by the Chinese, and constrained to serve all their purposes) and I strenuously urged Don Gabriel Yruretagoyena to address me officially upon the subject, so that I might be able to bring it under the attention of the Commissioner in the name of Her Majesty's Government: but he was reluctant to do so; and I did not feel myself justified in taking any steps, upon my own responsibility, in spite of his dispositions.

The original of these papers remain in Don Gabriel's hands; and I have requested him to cause the captain (still at Macao) to verify the handwriting of the mate before a magistrate, which has been done: they will be delivered over to Her Majesty's officers, whenever your Lordship shall think fit to require them.

I would submit, my Lord, that a direct report of this transaction to the Court, from the mouth of the Pei Ho, by the command of Her Majesty, supported by the production of these papers, would immediately secure the just and exemplary punishment of the Commissioner and Governor; and would, in other respects, facilitate the reasonable adjustment of all those difficulties which they have cast upon their own and Her Majesty's Government. I have had considerable experience in China, and I believe that the public disgrace of high functionaries convicted of indiscriminate violence against foreigners, covered by falsehood to their own Court, is a measure due to the ends of justice, and needful upon grounds of policy.

It has lately transpired, through a variety of native channels of information, that the outrage upon the British passage-boat *Black Joke*, was perpetrated by his Excellency's express command; and that he rewarded the Mandarin by whom it was committed with 200 taels of silver. I am bound to admit that the evidence before me in the case of the *Bilbaino*, has diminished my unwillingness to credit this statement; but it should be said, that the testimony of a linguist, upon which it chiefly depends, is entitled to little consideration. The possibility, or otherwise, of all such allegations resting upon Chinese statements, must be estimated by a consideration of other circumstances within our certain knowledge.

In closing this despatch, I will only trouble your Lordship with the further observation, that it is deeply to be regretted that a British subject should have been so lost to all proper feeling, or so void of common sense, as to take in a British ship upon conditions rendering Her Majesty's subjects liable to forms of procedure, on capital charges, such as these detailed in the striking and guileless papers of this innocent man. The admission of such a state of things has hitherto been firmly resisted in our intercourse with China; and the importance of the concession is perfectly understood by the Commissioner. It has been incalculably injurious to British character and British interests, that a master of a merchant ship should appear to have power to do that which the responsible officer of his country steadily refused. Mr. Warner's conduct deserves the severest reprobation; he has wantonly and immensely aggravated public dangers on the spot, at the disregard of all those considerations which it is possible he might not understand, but which it was his bounden duty, as a British subject, to leave to the disposal of the officer of his country.

I have, &c.
(signed) CHARLES ELLIOT,
Chief Superintendent.

Inclosure 1 in No. 5.

Extract of a letter from Frederico Jimenez, Mate of the late Spanish Brig Bilbaino *to Don Gabriel de Yruretagoyena, Consignee of the said vessel.*

Señor Escritor, (*Recebida el 2 de Novembre de* 1839.)

LE agradezco infinito todo lo que en la suya me dice, y voy hacerlo diciendole al Señor de Goyena, que aquel mismo dia que volvi desde Macao a bordo, hallé en la boca de Taipa cinco champanes de guerra, y varias lorchas de mandarines que se acercaban, hacia nuestro bordo con ademan de abordarnos a la prora, por lo que immediatamente se largó el pavellon Español, y visto por ellos se retiraron como en señal de paz; pero á tres y media (3 ½) de la noche, largaron desde tierra, los Chinos cuatro (4) lorchas quemadas, que la corriente las trahia sobre nosotros, y para evitar tan fatal desgracia, arriamos cable del ancla con el fin de retirarnos del gran volcan de fuego; pero Señor de Goyena, no bien estabamos todos mirando hacia las lorchas quemadas, cuando de repente vimos una columna de fuego por la popa, en cima de nosotros. La gente toda se atemorizó, y el Señor Contramaestre fué el primo que, gritando "somos perdidos," se tirô al agua, con una tabla. Yo hallandome solo, con dos lorchas tan grandes como el bergantin al costado, y los Chinos que iban á saltar á bordo con cañas de fuego, chusos, sables, &c., y una infinidad de lorchas al costado, quise tirarme al agua; pero me agarraron, dandome una puñalada en el brazo, y otra, en la espalda, y rompiendome la camisa, me amarraron, y me hecharon en una de las lorchas que estaban en el costado, desde la cual estaba viendo hacer el saqueo, pero no vi á bordo ningun marinero, nada mas que este que quiso seguir conmigo, que no son dos los que se hallan aqui, sino uno.

Hecho el gran saqueo, me llevaron amarado á una de las muchas lorchas de mandarines, me desamarraron, dandome la bandera que ellos la habian cogido, me llevaron á Tigre, &c. &c.

(Translation.)

Sir, (*Received on the 2nd of November,* 1839.)

I AM very thankful for what you mention in your letter; and in compliance therewith beg now to inform Mr. Goyena, that, on the same day I took leave from him and went on board, I discovered at the mouth of the Taipa five men-of-war junks, and some other mandarin boats coming towards the brig in an attitude of boarding her at once; but as soon as we hoisted the Spanish colours they retreated in token of peace. At 3 ½ A. M., the Chinese detached from on shore four fire-boats, which were coming upon us with the tide; when we paid out more chain to avoid so fatal a misfortune, and get free from the excessive heat of the fire. But, Mr. Goyena, in a moment, whilst looking at the fire-boats, we observed a column of fire astern, upon our heads. The whole crew became frightened; and the boatswain was the first, who shouting, "We are lost," threw himself into the water with a piece of wood. Finding myself alone, with two junks as large as the brig alongside, the Chinese commencing to board, with fire canes in their hands, pikes, swords, &c., and an immense number of boats around me, I intended to jump overboard; but they seized me by giving a stab in my arm, and another in the back; and tearing my shirt, they tied me, and threw me into one of the boats alongside, whence I observed the pillage. I did not see any sailor on board except one, who wished and did accompany me. There are not two sailors here.

When they had concluded the pillage, they carried me to one of the many mandarin boats, where they untied and gave me the ship's flag they had brought with them; and then took me to the Bogue, &c., &c.

[Here follows a succinct statement of the 2nd Letter.]

Inclosure 2 in No. 5.

Frederico Jiminez, Mate of the Spanish brig Bilbaino, *to Don Gabriel de Yuretagoyena, Consignee of the said vessel*

Muy Señor mio, *Recebida, el 24 de Noviembre, de* 1839.

ES cierto que hé escrito ese papel que me dice en su apreciable con fecha 4 del corriente.

¿ Pero Señores por el amor de Dios? no hé de escribirlo, si me dicen esos infames Linguas lo que voy á referiros, que es la verdad, lo digo de todo corazon.

Llegados que fuimos á Tigre, en cuyo punto antes de desembarcar, le rogaba al Mandarin de la lorcha, que me diera la bandera del *Bilbaino*, que me sirvió de almoada, durante las 36 horas que tardamos hasta llegar á dicho punto; no permitió; pues en lugar de la dicha me dió una camisa y una cadena de diez á once libra que me hecharon al cuello, y otra al compañero cuyo nombre es Ynocenció del Rosario: nos llevaron en casa de los Mandarines donde estos no querian creer, de que era Español por mas juramentos y lloros, &c., teniendonos de rodilla como dos horas. Al segundo dia fuimos otra vez, y aquella noche ya nos habiendo visto el Chino Apan (que era el unico que sabia Portuguez) al tribunal donde entonces se hallaban esos dos infames Linguas, me llamaron a mi 1° para declarar, y cada vez que decia que el buque era Español, Mandarin y todos me hechaban un bufido.

Los Linguas tratandome con el mayor despotismo que pueden figurarse, ultimamente me amarran de pies y manos, y me quieren dar de palos para que dijera que era Yngles; y viendo que no podian sacar partido conmigo á un calabozo me llevaron; y entonces llaman el inocente Ynocencio, y lo tuvieron de rodillas, (segun el me cuenta) como 4 horas, para que dijese que el buque y yo eran Yngleses; ultimamente le ofrecieron un cofre lleno de plata, y viendo que no podian sacar nada mas que la verdad, lo llevon a otro calabozo. Me llaman al dia siguiente, y me dicen que perdia la cabeza, siempre y cuando que no dijese que el buque habia sido Yngles, que mi compañero ya lo habian mandado á Macao, por que habia dicho que el buque era Yngles.

Pero yo les decia á esos infames, ¿ como es posible que halla dicho semejante falsedad? Si, si, falsedad (me decian esos picaros) no es falso que es la verdad, y los Mandarines y todos saben de que el buque es Yngles; y ahora a V. le van á cortar la cabeza, y á esta la cuchilla, y el verdugo (señalandome un Chino de fatal traza, y enseñandome una fiera cuchilla); ni por todas esas y aun mas amenazas, quiero ceder; y visto por ellos, me llevan otra vez al calabozo, custodiado por 20 soldados, me tuvieron como unas 12 horas sin quererme traher ni aun agua; visto todo esto por ellos me sacan del dicho, y me llevan en casa de un Mandarin de guerra á donde se hallaba Ynocencio, y a los 3 ó 4 dias, nos llevan otra vez al Tribunal, y me preguntaron el nombre del buque, de su dueño, y con que fin estaba en Taipa; declaré la verdad (que por ser sabida no la repito.) Y me dicen interprete y Mandarin, que no es cierto, que ellos sabian que el buque trahia viveres para los Yngleses; entonces jurè por 3 ó 4 vezes que no era asi, que era como yo decia; entonces me empezaron á contentar, y á preguntar si queria comer, y que no tuviera cuidado, y me llevaron en casa del Mandarin de guerra quitandome la cadena, y á Ynocencio; y nos tienen en la dha casa durmiendo con los Soldados, de lo cual me salió el fatal sarnaso; y a los 13 dias que me hallaba en un estado digno de compacion lleno de sarna, y con la herida de la espalda que se me habia puesto péor, y sintiendome del pecho, me llevan enca a de otros Mandarines y me juran los infames Linguas, Soldados, y todos, que si queria ir á Macao (que era lo que yo deseaba) que escriba lo que ellos me dictasen, y siempre y cuando no pusiera lo mismo, me cortarian la cabeza; que

el papel despues de escrito, lo llevaron á un Chino (que habia no sé en que lugar) que sabia leer y escribir, y que siempre que pusiera lo mismo, de cierto me mandarian á Macao, jurandomelo los infames Linguas que si, si, que los Mandarines lo dicen. ¿ Pero hombre por Dios, hay algun Chino que sabe leer? Si si (me decian) y V. cuidando como no escriba lo que se le dijer, por que entonces de cierto le cortan la cabeza. Yo ya se vé creia que los Mandarines tendrian compacion de mi de verme en aquel estado, y que caminaban de buena fé; y apesar de tener eso en mi pensamiento, y de tener los inponderables deseos de libertarme del castigo de estos infames, 4 dias le costo prometiendome los mismos Mandarines que si, si, que iba á Macao; y al cabo de 4 dias escribi ese papel ¿ pero por el amor de Dios, como habia yo de pensar que Mandarines, Linguas, y Soldados, me habian de engañar? Si merezco castigo lo pido y lo quiero; pero quiero, que me lo dén mis compatriotas, y no estos infames.

Me dicem V.M. que dicen esos infames Linguas que yo he declarado que el buque tenia opio; Les digo a V.S. que pierda el nombre que tengo si he dicho tal; pues antes al contrario he jurado 5 ó 6 veces que lo que tenia eran algunas cajones de tabacos.

Crean me V.SS. Libertadores mios, pues lo os creean V.SS. á fé del nombre que tengo, que es la verdad.

Si he escribido aquel fatal papel, ha sido por que los Mandarines me dieron palabra de darian libertad, y de no escribieno me cortarian la cabeza. Esta es la verdad.

Tengan V. MS. por Dios, compacion de mi, no, sinó de mis pobres Padres, y sacarme cuanto antes de las manos de estos infames; yo os contaré la verdad, que la misma que dirigo á V.SS.; que siento en estremo que no vaya bien escrita, pues lo hago en un lugar que no veo lo que escribo, por no ser visto de nadie pues el portador me dice cuidado como me vé algun Chino; de consiguiente repito a V.SS. que no véo lo que escribo, apenas distingo las letras.

Me hallo en una Yglesia, y a mi custodia 18 soldados y 6 servidores, y estos me trahen de comer todo lo que pido, pero para vestir nada. Por Dios, os pido que me saqueis de aqui, pues si estoy mas tiempo me muero.

(Firmado) FREDERICO JIMENEZ.

(Translation.)

Dear Sir, (*Received November* 24, 1832.)

IT is true that I have written the paper which you mention in your kind letter of the 4th instant.

But, Gentlemen, I declare in the name of God, I should not have written it, if those infamous Linguists had not told me what I am going to relate. This is the truth: I say it with all sincerity.

We arrived at the Bocca Tigris, and before landing, I entreated the mandarin of the junk to give me the flag of the *Bilbaino*, which had served as my pillow, during the thirty-six hours that we spent in our voyage. He did not comply with my request, but gave me in its stead a shirt, and a chain of from ten to eleven pounds weight, which he put round my neck, and did the same to my companion (named Ynocencio del Rosario). They then took us to the mandarin's house, where they would not believe that I was a Spaniard, notwithstanding all my oaths and tears, &c., &c. They kept us on our knees for about two hours. We were visited the same night by the Chinese "Apan" (who alone understood Portuguese), and the next day we were taken before the tribunal, where we found those two infamous Linguists: I was called the first to depose; and, whenever I said that the vessel was Spanish, the mandarins and all of them were furiously angry with me.

The Linguists treated me with the utmost despotism that you can imagine, and at last fastening me by the hands and feet, they wished to beat, and to force me to say, that I was an Englishman; but, seeing that they could not succeed, they carried me off to a dungeon. Then they summoned the innocent Ynocencio, whom they kept on his knees for nearly four hours (as he informs me) in order that

that he might depose, that the vessel and myself were both English. Lastly, they offered him a chest full of silver; but finding that they could not obtain anything more from him than the truth, they took him into another dungeon.

They called me up the next day, and told me that I should lose my head, if I did not declare that the vessel had been English. They added, that my companion had been sent down to Macao, in consequence of having acknowledged that the vessel was English. But I replied to these infamous men: "How is it possible that he should have told such a falsehood?" "Yes, yes, falsehood?" (returned these villains.) "It is not false, it is the truth: and the Mandarins and all know that the vessel is English; and now they are going to cut off your head: there is the axe and the executioner!" (pointing to a Chinese with a frightful countenance, and producing an enormous knife.) These threats, and many others, made no impression upon me. Perceiving this, they took me back to the dungeon, escorted by twenty soldiers, and kept me there for nearly twelve hours, without giving me even a drop of water. As I remained obstinate, they carried me to the house of a Mandarin of war, where I met Ynocencio; and three or four days after, we were summoned again before the tribunal. I was asked the name of the vessel, the owner, and what she was doing in the Taipa. I answered the truth (which, being known to you, I need not to repeat). The interpreters and the Mandarins denied it; and said, that they knew the vessel had brought provisions for the English; and, more than that, she *was* English. I swore three or four times that it was not so; but really what I had declared. They then changed their tone, and began to coax me, by asking what I would like to eat, and begged me not to be afraid; led me back to the Mandarin of war's house; took off mine and Ynocencio's chains, and left us there to sleep with the soldiers, the result of which was, that I caught a fatal itch; and, thirteen days afterwards, what with the itch, the increased wound on my back, and pains in my chest, I was an object worthy of compassion; when they brought me to the house of other Mandarins, where the infamous linguists, soldiers, and all swore, that if I wished to go to Macao (my most fervent desire) I must write whatever they dictated; and if I did not do so correctly they would cut off my head; that the paper, after being written, would be shown to a Chinese, living in such a place (the name of which I have forgotten) who knew how to read and write; if it was truly what they dictated, I should go to Macao: the linguists swore, "Yes, yes, the Mandarins said so." "But, in the name of God, tell me, is there really a Chinese who knows how to read?" "Yes, yes, and so you had better take care what you write, or you may lose your head." I, of course, thought that the Mandarins would have compassion on my miserable state, and would act with truth; therefore, remembering the risk of losing my head, and nourishing an inexpressible desire to be free from the punishment of this infamous people, I at last wrote the paper (but not before four days of importuning had elapsed) upon the assurances of the Mandarins themselves—"Yes, yes, you shall go down to Macao."

But in the name of God, how could I believe, that the same Mandarins, linguists, and soldiers, would deceive me? If I deserve punishment, I wish and I ask for it from my own countrymen; but never from this infamous people.

You say the infamous Linguists reported that I had declared the vessel contained opium: believe me, on my honour, that I never said such a thing; but, otherwise, I swore five or six times that she had nothing more on board than a few cigar boxes.

Do believe me, my liberators, for the name I bear,—this is the truth.

If I wrote that fatal paper, it was because the Mandarins promised me faithfully my liberty; and assured me they would cut off my head if I did not write it. This is the truth.

In the name of God, have compassion on me; or at least, for the sake of my poor parents, do take me from the hands of these infamous men! I will relate the truth to you; but, indeed, it is the same as I have written.

Excuse this badly expressed note; I write in darkness, because the bearer advises me not to let the Chinese see what I am doing. I assure you, I can hardly distinguish the letters.

I am living in a pagoda under the custody of eighteen soldiers and six servants, who give me everything I ask to eat, but no clothes. For God's sake, I entreat you, take me from this place, as I shall die if I remain any longer here.

(Signed) FEDERICO JIMENEZ.

MEMORANDUM

relating to the burning by the Chinese authorities of the Spanish vessel Bilbaino.

ON the 12th of September, the Spanish brig *Bilbaino* was burnt at her anchors by the Chinese Government cruizers.

The *Bilbaino* was at anchor in the Typa: about five o'clock on the morning of the 12th instant, the Chinese war boats approached her; the crew, on discovering their approach, hoisted the Spanish flag; the Chinese then detached two fire-boats towards her, which the *Bilbaino's* crew avoided by veering away cable. The Chinese then attacked the Spanish brig, ahead and astern, with cannon, and at the same time boarded her at the gangways; the crew, without attempting any resistance, immediately jumped overboard, and most of them were picked up by the Chinese. The latter, after having plundered the vessel of all they could lay their hands on, set her on fire and left her, taking with them the chief officer, a Spaniard, with a chain round his neck. The boatswain and five others were put on shore on an island at Macao, and thirteen others were left in the ship's long-boat, without oars or rudder. These were brought on shore by the boat belonging to the Bar fort, and the other six were brought on shore by the Pratico Mayor, who has been ordered to the Typa by the Governor of Macao; four sailors are still missing.

The following Edict from the Portuguese authorities followed this inexplicable and wanton act of destructive aggression.

EDICT.

THE lamentable occurrence having happened that the Chinese cruizers have, early on the morning of the 12th instant, unjustly burned the Spanish brig *Bilbaino*, then anchored in the Typa, on suspicion of the vessel having opium on board,—the loyal Senate do consider it their duty to fit out an armed vessel to cruize in that anchorage, as far as the roads: and by this means to procure, 1st, that vessels of any nation whatsoever, anchoring there with opium on board, may be taken and confiscated; 2nd, that no other fatal mistake like that of the Spanish brig may happen. It is therefore published, that all vessels of whatever nation that may anchor in the above-named anchorages on or after the first day of October next, with opium on board, shall be confiscated. Dated, Macao, September 14, 1839.

(Signed) SILVEIRA PINTO.
BRAGA.
SILVA.
BARRETTO.
LEMOS.
LIMA.

PAPER RELATNG TO CHINA.

HOUSE OF COMMONS.

Veneris 3° *die Aprilis* 1840.

RESOLVED.

That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House a copy of any despatch or memorandum from Sir George Robinson, relating to the proceedings of Lord Napier from the middle of August, 1834, to the time of Lord Napier's death.

ORDERED.

That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Most Honourable Privy Council.

J. H. LEY,
Cl. Dom. Com.

The following is a copy of the only Document in the Foreign Office, received from Sir George Robinson, relating to the proceedings of Lord Napier from the middle of August, 1834, to the time of Lord Napier's death.

Extract from the "Records of Proceedings" of the Superintendents in China.—(Received March 12, 1835.)

September 27, 1834.—IN reference to the proceedings of His Majesty's Superintendents from the 4th to the 25th of September, 1834, Sir George Robinson records the following Minute:—

On Thursday afternoon, September 4th, while sitting at dinner with the Right Honourable the Chief Superintendent, the room was suddenly crowded by the Chinese, of different classes, in our service, and those connected with the Establishment of the East India Company—Compradores, cooks, Coolies, &c.,—who ran up stairs in great alarm, saying the Mandarin soldiers had surrounded, and were about to enter, the Factory. On going to the principal entrance, we found a line of them drawn up in front, and a great number assembling in the public square, part of whom were landed from boats, which were then moored in front of the garden and stairs, in such a manner as to prevent all egress. These vessels were furnished with spears, lances, swords, &c.; and in some of the largest, both chains and iron manacles were displayed. The doors were closely beset, and I considered we were about to be made prisoners. All the Chinese having left the Hong, there only remained His Majesty's Superintendents, and the Europeans attached to the Establishment—eight or nine persons. It was intimated to me by many Chinese, that threats were uttered on the part of the Mandarins, of unroofing our houses, preventing all supplies of provisions, and seizing, or at least closely confining to the Hong, the Chief Superintendent and Suite, they said, "to prevent his escape." Under these

circumstances, Lord Napier communicated to me his determination to apply to Captain Blackwood for a small party of marines to be sent up without delay, and also to request him to proceed to Whampoa with both His Majesty's ships.

A letter to that effect was disptached by the schooner *Hawk*, belonging to Messrs. Jardine, Matheson, and Co., but about midnight, his Lordship feeling anxious that pilots should be procured, if possible, for the ships, and that the safety of the cutter *Louisa*, returning from Macao with the Second Superintendent, should be provided for, by one or both the frigates waiting her arrival, as Captain Blackwood might deem most expedient, requested me to ascertain the possibility of forwarding a letter to Whampoa, and from thence to Chuenpee, in furtherance of these objects.

Totally failing in all my endeavours to accomplish this; unable to procure either a boat or any person willing to undertake the charge; and being most anxious to forward his views; I proposed to Lord Napier, with whom I most fully and entirely concurred throughout and in all respects, that I should myself be the bearer of his letter to Captain Blackwood. Accordingly, by the assistance of Mr. C. Markwick, I succeeded in getting on board the cutter *St. George* without observation; and on arriving on board the *Fort William* at Whampoa, was much gratified to find Mr. Wilson, second officer of that ship, volunteer his services to pilot the frigates. I was well aware of this gentleman's experience and knowledge of the river, as well of his obliging disposition and goodwill, but must leave to Captain Blackwood the care of pointing out the services he rendered, as being better qualified than myself so to do. On reaching His Majesty's ship *Imogene* late in the evening, and finding the marines had already started for Canton by the advice of Captain Blackwood, I dispatched the cutter *St. George* to Macao, to hasten the movements of the *Louisa*, and forward notices of the intended measures to the merchant shipping at Capsingmoon and in Macao Roads. The cutter *Louisa* joined us on Saturday, and Captain Chads was enabled to secure the services of Mr. James, late master of that vessel, as pilot to His Majesty's ship *Andromache*.

On Sunday, the 7th ultimo, we passed the Bogue, and from that time until the frigates left the river, all communication with Canton was cut off except by notes inclosed to English residents, and concealed about the persons of Chinese boatmen, &c. This, however, proved a very precarious conveyance, as of several letters I wrote to Lord Napier only one reached him; the others have all of them been returned to me by those Chinese to whom they were entrusted.

(Signed) GEORGE BEST ROBINSON.

CHINA,

RETURN to an Order of the Honourable The House of Commons, dated 9 April 1840;—*for*,

COPIES of any CORRESPONDENCE between Her MAJESTY'S GOVERNMENT and the EAST INDIA COMPANY, showing the Arrangement entered into with the EAST INDIA COMPANY for paying the Expense of the Armament now preparing in *India* for Service in *China*.

East India House,
15 April 1840.

JAMES C. MELVILL.

LETTER from the SECRET COMMITTEE to the PRESIDENT of the INDIA BOARD.

Sir, East India House, November 29, 1839.

WITH reference to the Secret Despatch of the 4th instant, in which the Governor General of India in Council is requested to use the utmost exertion in his power, in order that Her Majesty's instructions of the same date to Rear-Admiral Sir Frederick Maitland may be carried into effect, we have the honour to request that we may receive from you an assurance that the whole of the expenses which may be incurred by the Government of India, in fulfilment of these instructions, will be repaid to the East India Company by Her Majesty's Government.

We have the honour to be, Sir,
Your most obedient and humble servants,
(signed) *R^d Jenkins.*
W. B. Bayley.
W. Astell.

To the
Right honourable Sir John Hobhouse, Bart.
&c. &c. &c.

LETTER from the PRESIDENT of the INDIA BOARD to the SECRET COMMITTEE.

Gentlemen, India Board, 21 January 1840.

IN reply to the Letter which I had the honour of receiving from you, relative to the expenses of the contemplated expedition to the China Seas, I beg to inform you that it is not the intention of Her Majesty's Government that any part of the expenses should be defrayed ultimately from the Indian revenues.

I remain, Gentlemen,
Your most obedient servant,
(signed) *John Hobhouse.*

The Honourable the Secret Committee.

MINUTE of a SECRET COURT of DIRECTORS.

At a SECRET COURT of DIRECTORS, held on Wednesday, the 26th February 1840,

THE Chairman acquainted the Court, that he was authorised by the President of the India Board to state, that the Secret Committee have his assurance that no part of the expenses of any expedition that may be sent to China shall be finally defrayed by the Company.

Digitized with financial assistance from

Shri Brihad Bhartiya Samaj

on 31 October, 2019

PAPERS

RELATING TO THE

PROCEEDINGS

OF

HER MAJESTY'S NAVAL FORCES

AT

CANTON.

WITH

APPENDIX.

Presented to both Houses of Parliament by Command of Her Majesty.

1857.

0.46.
1857.